

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

Original Application No.165/2021

Dated this the 12th day of May, 2021

CORAM:

Hon'ble Sh. Dr. A.K. Dubey, Member (A)

Shri Ajay Singh Kundu, Superintendent,
Custom Division – Surat, Commissionerate,
Ahmedabad, Residing at A1104,
Rudram Avenue,
Behind LP Savani School,
Vesu, Surat – 395 007.

Applicant

(By Advocate Shri Harjot Kassowal)

Vs.

Union of India & Others

Notice to be served:-

1. Director (ADMN.)

Department of Personnel & Training,
Ministry of Personnel, P G and Pensions
Government of India,
North Block, New Delhi – 110 001,
Phone no.011-23092338,
Email id: diradmin[at]nic[dot]in

2. The Chief Commissioner,

Office of the Chief Commissioner of Customs,
1st Floor, Customs House, opposite Old High Court,
Ashram road, Navrangpura, Ahmedabad – 380 009.

3. The Principal Commissioner,

Office of the Principal Commissioner of Customs,
Custom House, Near All India Radio,
Navrangpura, Ahmedabad 380 009.

..Respondents

O R D E R (ORAL)

Per: Dr.A.K.Dubey Member (A)

1. Counsel for the applicant submitted that vide impugned order dated 26.02.2021, the respondents have given notice under Rule 56(j) of the Fundamental Rules that the applicant having already attained the age of fifty shall retire from service w.e.f. 31.05.2021(Annexure A/4). Upon getting this notice, the applicant submitted his representation against it on 15.03.2021 (Annexure A/10). In his representation, he has mentioned that he had requested on 01.03.2021 and 05.03.2021 and also under RTI Act, for supply of certain documents for his defence/explanation. Although, he did not receive those papers, he submitted his representation so as to comply with the three weeks' time limit for it. However, by way of reply of his RTI application, he got those papers and on that basis, he submitted his additional representation dated 07.04.2021 to the respondents (Annexure A/16).

2. The counsel submitted that the respondents have not yet decided his representation nor have they communicated any response to his representation. The period allowed to the authorities for taking decision in such matters is over.

3. In view of the fact that he has submitted representation and additional representation, which remain to be disposed of, the respondents are hereby directed to take decision on those representations within seven working days from today, by way of a speaking order giving reasons for their decision(s) and to communicate the same to the applicant immediately thereafter. The applicant shall have liberty to approach this Tribunal yet again, if he remains dissatisfied with the decision on his representations. Accordingly, this OA is disposed off, at the admission stage itself.

(A.K.Dubey)
Administrative Member

SKV