

02.07.01

Hon.Mr.S.K.I. Naqvi, Member (J)

Shri V.B. Tewari for the applicant.
Shri G.R. Gupta brief holder to Shri R.C. Joshi
counsel for the respondents.

M.A.No.1193/01 by the respondents to dismiss the
O.A. being devoid of merit. Premature, not all-
owed.

M.A.No.1194/01 by the respondents to condone the
delay and take on record the C.R. Allowed, C.R.
be taken on record.

M.A.No.1085/01 by the applicant to take on record
the accompanying R.A. Allowed. R.A. be taken on
record.

Shri Tewari mentions that when the O.A.
was filed some interim relief was granted to the
applicant, but he was put to pressure by non-
payment of his regular salary and, therefore, under
compelling circumstances, he complied with the
impugned order and joined at the place to which he
has been transferred inspite of his unredressed
grievance which still exists and brought to the
notice of the respondent no.1 vide annexure A-3
dated 25.5.2000, which is yet to be decided. With
the mention of these facts and circumstances,
Shri Tewari requests that the O.A. be finally
decided with the direction to competent authority
in the department to decide the pending represent-
ation of the applicant alongwith a fresh represent-
ation for which liberty has been sought to acc-
ommodate the applicant whenever it is administratively
possible. Shri G.R. Gupta, learned counsel for the
respondents has serious objection regarding the use
of words 'Pressure' and 'Compelling Circumstances',
otherwise he has nothing to say regarding direction
to decide the representation.

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Keeping in view the above submissions, the O.A. is finally decided with the observation that incase the applicant moves a fresh representation and submit the same alongwith pending representation dated 28.05.00 annexure-3 to the O.A. within four weeks, same be ~~decreed~~ ^{considered} sympathatically and decided by the competent authority in the respondents establishment within three months thereafter. No cost.

Alur

Member (J)

/M.M./