

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.1467 OF 2003
ALLAHABAD THIS THE 10TH DAY OF FEBRUARY, 2004

HON'BLE MAJ GEN. K.K. SRIVASTAVA, MEMBER-A
HON'BLE MR. A. K. BHATNAGAR, MEMBER-J

Sudarshan Pareek,
son of Shri Shree Ram Pareek,
resident of H.No.FT-30A, Larmour Bagh,
Defence Colony, Cantt.
Kanpur Nagar.

..... Applicant

(By Advocate Shri R.K. Shukla)

Versus

1. Union of India,
through the Secretary,
Ministry of Labour,
Shram Shakti Bhawan, Rafi Marg,
New Delhi.
2. The Chief Labour Commissioner(Central),
Shram Shakti Bhawan, Rafi Marg,
New Delhi.
3. The Secretary,
Ministry of Defence, South Block,
New Delhi.
4. The Secretary,
Ordnance Factory Board,
10-A, S.K. Bose Road,
Kolkata-1.
5. The General Manager,
Ordnance Equipment Factory,
Kanpur.

..... Respondents

(By Advocate Shri V.V. Mishra)



O R D E R

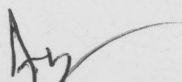
HON'BLE MAJ GEN. K.K. SRIVASTAVA, MEMBER-A

By this O.A. filed under section 19 of Administrative Tribunals Act 1985, the applicant has prayed for direction to respondent no.5 to forward the applicant's representation dated 04.03.2003, to the addressee for consideration and also for direction to respondents to fix the applicant's pay over and above or equal to his juniors w.e.f. 01.02.1986 with all consequential benefits.

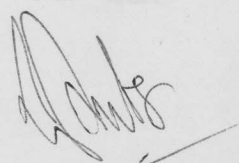
2. Shri R.K. Shukla, learned counsel for the applicant submitted that the respondent no.5 is not competent to decide the issue regarding forwarding of applicant's representation to the addressee. The applicant's cadre Controlling Authority is respondent no.2 and, therefore, the proper course for respondent no.5 was to have forwardedⁱⁿ the representation of the applicant to respondent no.2 for necessary decision in the matter in view of D.O.P.T. circular dated 25.02.2003 (Annexure A-9) which is regarding exercise of option.

3. In our considered opinion, the interest of justice shall be served by directing respondent no.5 to forward the representation of the applicant to respondent no.2 to decide the representation of the applicant as per extant rules within a period of four months from the date of communication of the order of this Tribunal.

4. With the above direction the O.A. stands disposed of at the admission stage itself with no order as to costs.



Member-J



Member-A