

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

Dated : This the 16th day of September 2003.

Original Application no. 1091 of 2003.

Hon'ble Maj Gen K K Srivastava, Member (A)  
Hon'ble Mr. A K Bhatnagar, Member (J).

1. Institute Joint Staff Council, Indian Grass Land and Fodder Research Institute, through its Secretary (Staff Side) Rajendra Kumar, Gwalior Road, Jhansi (UP).
2. Rajendra Kumar, a/a 45 years, working as Senior Clerk in Indian Grassland & Fodder Research Institute Jhansi.

... Applicants

By Adv : Sri R.K. Nigam

Versus

1. Union of India through Ministry of Agriculture, Govt. of India, Krishi Bhawan, New Delhi.
2. Secretary, Govt. of India, Department of Personnel & Training, New Delhi.
3. Secretary, Indian Council for Agricultural Research, Krishi Bhawan, New Delhi.
4. Director, Indian Grass Land & Fodder Research Institute, Gwalior Road, Jhansi.
5. Dr. P.S. Pathak, Director, Indian Grassland and Fodder Research Institute, Gwalior Road, Jhansi.

... Respondents

By Adv : Sri B.B. Sirohi

O R D E R

By Maj Gen K K Srivastava, Member-A.

In this OA, filed under Section 19 of the A.T. Act, 1985, the applicants have prayed for direction to the

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respondents to immediately restore the functioning of Institute Joint Staff Council Indian Grassland and Fodder Research Institute and also to dispose of medical claims of the staff which have been withheld by him.

2. In this OA, the applicant no. 1 is the Institute Joint Staff Council, Indian Grassland and Fodder Research Institute (in short IGFRI), through its Secretary (Staff side) Rajendra Kumar, Gwalior Road, Jhansi and applicant no. 2 is Rajendra Kumar, Senior Clerk in Indian Grassland & Fodder Research Institute, Jhansi.

3. The grievance of the applicants is that the attitude of Dr. P.S. Pathak, Director IGFRI is dictatorial, high handed and illegal. Dr. P.S. Pathak is adopting all means to harass the staff and none of the staff under him <sup>can</sup> raise his head to point out the illegal and irregular action of Director.

4. Sri R.K. Nigam, learned counsel for the applicants submitted that under the circumstances it has become very difficult for the staff under him to work peacefully in view of the tense situation. Learned counsel for the applicants also submitted that the applicant no. 2 filed number of representations, last being dated 6.5.2003 before respondent no. 4, but the same have not been decided so far. Therefore, he has prayed for direction to respondent no. 4 as contained in para 6 of the OA.

5. Though, the notices have been served on Sri B.B. Sirohi on behalf of the respondents, who has sent illness slip, we consider that this OA can be decided at the admission stage




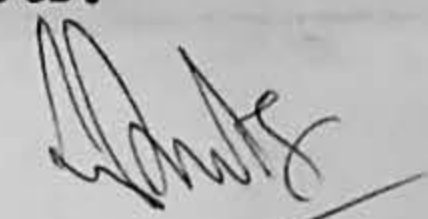
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no. 2 has filed representation before respondent no. 4 which is directed against the functioning of respondent no. 4 himself. Therefore, we <sup>have</sup> considered <sup>that</sup> it will be appropriate for the applicants to file a detailed representation before respondent no. 3 which should be decided by respondent no. 3 within specified time.

6. In view of the above, we allow the applicants to file a detailed representation before respondent no. 3 within four weeks alongwith copy of this order, which shall be decided by respondent no. 3 within ~~three~~ three months from the date of communication of this order alongwith copy of representation by a reasoned and speaking order.

7. There shall be no order as to costs.

  
Member (J)

  
Member (A)

/pc/