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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

Original Application No. 955 of 2013
Cuttack, this the 22nd day of January, 2014

CORAM

HON'BLE MR. A.K. PATNAIK, MEMBER (Judl.)
HON'BLE MR. R.C. MISRA, MEMBER (Admn.)

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Bhaktabandhu Bagarty,
aged about 44 years,
Son of Sri Sindhu Bagarty,
Vill- Dharapgarh, PO- Goelbhadi,
PS- Saintala, Dist-Balangir
At present working as casual labourer in the office of
Senior Quality Assurance Establishment (Armaments),
At/Po- Badmal, Dist- Balangir,
Odisha, PIN- 767070.

.....Applicant

Advocate(s)... M/s. R.N.Mishra, D.K.Mohanty-A, P.C.Behera.

VERSUS


Union of India represented through

1. Secretary,
Ministry of Defence, Govt. of India,
Ministry of Defence,
New Delhi- 110001.
2. Director General of Quality Assurance,
Room No. -234, Govt. of India,
Department of Defence Production (DGQA),
Nirman Bhawan, New Delhi-110011.
3. Addl. Director General of Quality Assurance (A),
South Block,
Department of Defence Production (DGQA),
Nirman Bhawan, New Delhi-110011
4. Senior Quality Assurance Officer,
Senior Quality Assurance Establishment (Armaments),
Badmal, Dist- Balangir, Odisha-767070.

..... Respondents

Advocate(s)..... Mr. S.Barik

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ORDER (ORAL)

MR. A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. Dipak Kumar Mohanty-A, Ld. Counsel for the applicant, and Mr. S.Barik, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, who accepts notice on behalf of all the Respondents. Registry is directed to serve notice, in terms of Sub rule 4 of Rule 11 of the CAT (Procedure) Rules, 1987 for onward transmission.

2. Mr. Mohanty-A, Ld. Counsel for the applicant, submitted that this O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 by the applicant, who was working as casual labourer under Respondent No.4, for a direction to Respondent No.2 to consider his representation for regularization in the vacant post of Group-D at par with other similarly placed persons. Mr. Mohanty-A, by drawing our attention to the representation preferred by the applicant on 28.12.2012 submitted that the applicant made this exhaustive representation addressed to the Director General of Quality Assurance (Respondent No.2) with copy to Respondent Nos. 3 and 4 but no action/response was received by him. Therefore, again on 23.05.2013 the applicant sent a reminder to all the above Respondents and further second reminder was also sent by the applicant on 06.11.2013 to all the above three Respondents.

3. We fail to understand as to how disposal of representation can take such a long time whereas the law laid down is right to know the result of the representation that too at the earliest is part of compliance of principle of natural justice and employer is also duty bound to look into the grievance of the employee as raised in the representation and reply him/her suitably without any delay. The same view has also been fortified in **S.S.Rathore Vs**

AOe

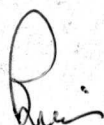
State of Madhya Pradesh, 1990 SCC (L&S) 50 (para 17) in which the Lordships have stated as follows:

“Redressal of grievances in the hands of the departmental authorities take an unduly long time. That is so on account of the fact that no attention is ordinarily bestowed over these matters and they are not considered to be governmental business of substance. This approach has to be deprecated and authorities on whom power is vested to dispose of the appeals and revisions under the Service Rules must dispose of such matters as expeditiously as possible. Ordinarily, a period of three to six months should be the outer limit. That would discipline the system and keep the public servant away from a protracted period of litigation.”

In view of the aforesaid dicta made by the Apex Court, without entering into the merit the matter, we dispose of this O.A. at the stage of admission itself with direction to Respondent Nos. 2, 3 and 4 that if any such representation has been preferred by the applicant on 28.12.2012 followed by reminders on 21.05.2013 as well as on 06.11.2013 and the same are still pending for consideration then the same may be considered and the result be communicated to the applicant by way of a reasoned and speaking order within a period of 60 days from the date of receipt of this order. However, if in the meantime the said representation has already been considered then the result thereof may be communicated to the applicant within a period of two weeks from the date of receipt of a copy of this order. No costs.

4. Copy of this order be transmitted to Respondent Nos. 2, 3 and 4 by Speed Post for which Mr. Mohanty-A, Ld. Counsel for the applicant, undertakes to file postal requisites by 28.01.2014.

MEMBER (Admn.)



MEMBER(Judl.)

