

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

No. O.A. 1465/1997

Present : Hon'ble Mr. D. Purkayastha, Judicial Member
Hon'ble Mr. G.S. Maingi, Administrative Member

B. BHIMA RAO

VS.

UNION OF INDIA & ORS.

For the applicant : None

For the respondents : Mr. P.K. Arora, counsel

Heard on : 4.4.2000

Order on : 4.4.2000

O R=D E R

D. Purkayastha, J.M.

When the matter is called for admission hearing, 1d. counsel Mr. P.K. Arora appears on behalf of the respondents. None appears for the applicant though wakalatnama has been filed on behalf of the 1d. counsel for the applicant, Mr. A. Chakraborty.

2. We have heard 1d. counsel for the respondents and have perused the records available with us. The applicant has challenged the impugned order of removal from service issued to him vide order dated 2.7.97 (Annexure 'E' to the app.). We find that the applicant has submitted ~~an appeal~~ against the said order of removal to the ~~authorities~~ vide letter dated 15.7.97 (Annexure 'F' to the app.) stating his grievances therein. ~~but the authorities did not act.~~ Thereafter, he filed several reminders in this regard. We have asked the 1d. counsel for the respondents as to why the respondents did not consider his grievances. 1d. counsel, Mr. P.K. Arora appearing for the respondents has stated that the applicant had not acquired the temporary status and therefore,

the R.S.(B&A) Rules are not applicable to his case. So, the claim of the applicant that the aforesaid order of removal has been issued by the authorities without following the extant rules is not sustainable and the application should be dismissed as being devoid of any merit.

3. In view of the aforesaid circumstances, we find that the representations filed by the applicant before the authorities in respect of the impugned order of his removal ~~dated~~ 2.7.1997 are lying pending for decision. Therefore, we think it would be appropriate on our part to direct the respondents to consider the ~~view~~ representation of the applicant and to dispose of the same within a specific period. Accordingly, we direct the respondents to consider the appeal of the applicant dated 15.7.1997(Annexure 'F' to the app.) and to dispose of the same within 2 months by passing a reasoned and speaking order. It may be mentioned here that the decision of the authorities shall be communicated to the applicant within ^{15 days from the date of order} ~~the same period~~. With these observations the application is disposed of at the stage of admission.

4. No order is passed as to costs.

G.Swamy
17.7.2000
MEMBER(A)

H.C. Narayana
17.7.2000
MEMBER(J)