

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW.**

ORIGINAL APPLICATION NO: 211/2008

Lucknow, this the 4th day of April, 2009

**HON'BLE MR. M. KANTHAIAH, MEMBER (J)
HON'BLE DR. A. K. MISHRA, MEMBER (A)**

Rajendra Kumar Anand,
Aged about 68 years,
Son of late Sri Kanchi Lal Saxena,
Resident of H-1/16, Krishnapuram,
Kanpur-208007,
Retired ASW (Asst.Surveyor of works)

Applicant.

By Advocate Sri G. Singh

Versus

1. Union of India through
It's Secretary, Ministry of Defence,
New Delhi.
2. Engineer-in-Chief, Army H.Q.,
Kashmir House, Defence H.Q.
New Delhi.
3. Chief Engineer, Central Command,
Lucknow Cant.Lucknow.
4. Sri. A. D. Sawley,
Retired Superintending Surveyor of
Works, C/o Engineer-in-Chief Branch AHQ,
Kashmir H Delhi Zone
Delhi Cant, New Delhi.

Respondents.

By Advocate Sri G. K. Singh.

ORDER(ORAL)

By Hon'ble Mr. M. Kanthaiah, Member (J))

Heard both sides.

2. The applicant has filed the original application with a prayer to issue direction to the respondents to fix the seniority of the applicant above the Respondent No. 4 and promote him with all consequential benefits up to the level of Superintending Surveyor of works. In support of his case, the applicant also relied on the decisions of O.A. No.

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1037 of 1986 dated 28.8.1987 on the file of Principal Bench CAT, New Delhi and O.A. No. 2/2004 dated 10.1.2008 on the file of this Tribunal. The applicant also submits that his representation (Annexure 1) dated 25.02.2008 and reminders dated 27.3.2008, 7.5.2008 which are still pending with the respondent authorities. When the representations of the applicant are still pending, issue of any direction allowing the claim of the applicant at this stage is not at all maintainable and as such the O.A. is disposed of with a direction to the Respondent No. 2 to decide the pending representations of the applicant with a reasoned order as per rules within a period of three months from the date of supply of copy of this order. The respondent is also directed to take note of the decisions relied by the applicant while deciding his representation. The applicant is directed to supply copy of his representations and also citations on which he is relied in support of his claim along with the copy of this order. No costs.

Applies 04/05/09
(Dr. A. K. Mishra)
Member (A)

On 05/09
(M. Kanthaiah)
Member (J)