

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 142/2011

This the 7<sup>th</sup> day of April, 2011.

**Hon'ble Sri Justice Alok Kumar Singh, Member (J)**

**Hon'ble Sri S.P.Singh, Member (A)**

Umesh Chandra alias Umesh Chandra Nigam aged about 60 years son of late G.C. Nigam, r/o 295/387 A, Deendayal Road, Ashrafabad, Lucknow.

Applicant

By Advocate: Sri A.Moin

Versus

1. Council for Scientific and Industrial Research, Anusandhan Bhawan, Rafi Marg, New Delhi through Director General.

2. Director, Central Drug Research Institute, Chhatar Manzil, Lucknow.

Respondents

By Advocate: Sri Pankaj Awasthi for Sri A.K.Chaturvedi.

**ORDER (Dictated in Open Court)**

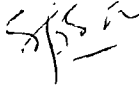
**By Hon'ble Sri Justice Alok Kumar Singh, Member (J)**


Heard learned counsel for applicant and respondents and with their consent, this O.A. is being disposed of finally in the following manner.

2. According to the respondents, he was dismissed from service vide order dated 27.4.2003 (Annexure A-3) mainly on the basis of conviction in the criminal case by the Trial Court u/s 498 (A) IPC. It is said that the judgment of trial court was challenged before the Hon'ble High Court vide Criminal Appeal No. 1470/2002 and vide judgment dated 25.11.2009. The appeal has been allowed quashing the conviction and sentence of the applicant. It is further said that as averred in para 19, this judgment of the Hon'ble High Court has attained finality as much as according to the opinion given and sought by Administrative Officer of CDRI, Lucknow, it was opined by the learned Govt. Advocate by means of letter dated 16.6.2010 that it was not a fit case for filing Special Leave Petition before the Hon'ble Supreme Court. Learned counsel for other side has no specific instructions on this point. Be that as it may. But learned counsel for applicant wants to confine his prayer at this stage to the extent that a direction may be accorded to the respondents to dispose of his pending representation dated 25.3.2010 followed by reminder dated 30.7.2010 (Annexure -9 and Annexure 1) within a stipulated period.

AC

He is confident that his representation would be allowed in view of the quashing of his conviction and sentence by the Hon'ble High Court. As far as this prayer is concerned, learned counsel for other side has no objection. Finally, therefore, having regard to the facts and circumstances of this case, we hereby dispose of this O.A. finally with a direction to the respondent to dispose of the aforesaid representation followed by reminders contained in Annexure No. 9 and Annexure No.1 of this O.A. by means of speaking order within three months from the date, a certified copy of this order along with readable copy of aforesaid representation followed by reminder is made available to the respondents. No costs.

  
(S.P.Singh)  
Member (A)

 7.4.2011  
(Justice Alok Kumar Singh)  
Member (J)

HLS/-