

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH, LUCKNOW

Original Application No.382/2011
This the 01st November 2011

Hon'ble Mr. Justice Alok Kumar Singh, Member (J)
Hon'ble Mr. S.P. Singh, Member (A)

Smt. Alka Gupta aged about 46 years, W/o Rishi Kumar R/O 554/173
G/1, Chhata Barha, Alambagh, Lucknow.

...Applicant.

By Advocate: Sri A. Moin.

Versus.

1. Kendriya Vidyalaya Sangathan, 18 Institutional Area, Shahid Jeet Singh Marg, New Delhi through its Commissioner.
2. Deputy Commissioner, Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi.
3. Assistant Commissioner, Kendriya Vidyalaya Sangathan, Sector J, Aliganj, Lucknow.

.... Respondents.

By Advocate: Sri Surendran P.

ORDER (Dictated in open Court)

By Hon'ble Mr. Justice Alok Kumar Singh, Member (J)

Heard the learned counsel for the parties and perused the material on records.

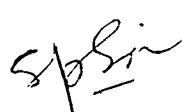
2. On 21.09.2011, after going through the Annexure-A-8, the representation dated 30.05.2011 as also the impugned order dated 26.08.2011, it was found that the relevant points contained in the detailed representation dated 30.05.2011 have not been dealt with at all in the impugned order, which has been passed in slip shod manner. It consists only 6-7 lines while his representation runs in to 2 pages raising several grounds and also citing judicial orders passed

AC

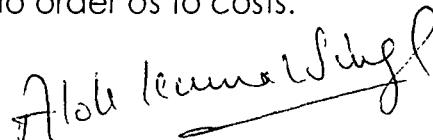
by CAT, Jaipur Bench and Hon'ble High Court of Rajasthan in similar matter. Therefore, the learned counsel for official respondents was directed to seek specific instructions in this regard. But, even after lapse of five weeks, the learned counsel for respondents says that he has not received any specific instructions whatsoever from the official respondents, which clearly shows [^]calousness on the part of the respondents. Be that as it may. But, the fact of the matter remains that the impugned order dated 26.08.2011 has been passed in a slip shod manner without dealing with the relevant points contained in the detailed representation dated 30.05.2011 (Annexure-A-8). The learned counsel for official respondents at this stage requests that two weeks time may be provided for filing C.A. We are not inclined to accede to this request firstly because they had already sufficient time of about 5 weeks as observed above to at least come forward with specific instructions, which could not be done by the official respondents therefore, the request for seeking two weeks time to file C.A. does not appear to be bonafide. It appears to be with a view to gain time. Secondly, even if C.A. is brought on record, it would not change the tone and tenor and texture of order in question which has been passed in a slip shod manner and while passing the order relevant points raised in the detailed representation running in to two pages have not been touched at all. Therefore, it would be sheer wastage of time to keep this O.A. pending anymore. In the backdrop of the above facts, we are inclined to dispose of this O.A. finally quashing the order in question with a direction to the official respondents to pass appropriate speaking order afresh.

A/C

3. Accordingly, the order dated 26.08.2011 (Annexure-A-1) is hereby quashed with a direction to the official respondents to pass a speaking and well reasoned order afresh dealing with all the relevant points raised in the representation dated 30.05.2011 (Annexure-A-8) within a period of two months from today. Let the certified copies of this order be provided forthwith to both the learned counsel for the parties as requested. No order as to costs.



(S.P. Singh)
Member (A)



Justice Alok Kumar Singh
Member (J)

Amit/-