

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH,

LUCKNOW

O.A.No. 182/92

Surendra Misra

Applicant.

versus

1. Union of India, through Secretary,  
Ministry of Textile, Govt. of India,  
Udyog Bhawan, New Delhi.

2. Development Commissioner (For  
Handicraft), Office of Development  
Commissioner, Handicraft, West Block  
No. 7, R.K. Puram, New Delhi.

3. Asstt. Director (Administration  
and Co-ordination), Carpet Weaving  
Training cum-Service Centre, 46/3,  
Gokhale Vihar Marg, Lucknow.

Respondents.

Hon. Mr. S.N. Prasad, Member Judicial.

The applicant has approached this Tribunal under section 19 of the Administrative Tribunals Act, 1985 with the prayer to the effect that a direction be issued to the respondents to quash the order dated 10.1.1983 vide Annexure A-17, and for further direction to the respondents to decide the representation of the applicant contained in Annexure No. A-19 to the O.A.

2. Briefly stated, the facts of the case, inter alia, are that the applicant was appointed as Storekeeper-cum Accounts Clerk in the grade of Rs 260-400, and lastly he was posted in the office of Carpet Weaving Training Centre A.I.H.B. at P.O. Sileut, District Muzaffarpur (Bihar) and he was interviewed for the post of Assistant-cum-Storekeeper and he was selected in the year 1981

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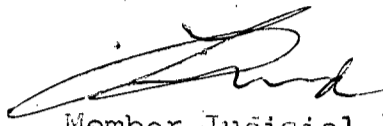
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in the scale of Rs 330-560 and was posted at Jhanjaipur and he was directed to report in the office of Asstt. Director, Marketing and Service Centre, A.I.H.B., Madhubani(Bihar) vide Annexure No.A-1. The applicant was transferred within one year from there to Loukha vide Annexure A-2. On 31.10.99 the applicant was promoted as Investigator in the pay scale of Rs 1400-2300 by DPC vide Annexure A-21. The main grievance of the applicant appears to be that though as per Annexure A-17 that the Deputy Director(Cane and Bamboo) posted at Agratalla as the enquiring authority was to enquire into the charges against the applicant and the enquiry officer was directed to submit his report within a period of 6 weeks; but even after expiry of many years, no enquiry report was submitted and as such the applicant sent his representation to the Development Commissioner(Handicrafts) West Block 7, R.K.Puram, New Delhi, (who is respondent No. 2 in this case) and his representation was sent through registered post under registration No. 24171 dated 20.10.90 as it appears from the perusal of the postal receipt (Vide annexure A-19(1) to the application) but the representation of the applicant has still not been decided and the same is still lying pending with the respondent No.2.

2. Thus, in this view of the matter and keeping in view all the facts and circumstances of the cases and all aspects of the matter, I find it expedient that the ends of justice would be served if the respondent No. 2 is directed to decide the representation of the applicant dated 20.10.90 (Annexure A-19(1)) <sup>by a speaking order</sup> in accordance with law, keeping in view the extant rules, regulations and orders in this regard within a period

of three months from the date of receipt of a copy of this order, and I order accordingly.

3. The application of the applicant is disposed of as above at admission stage. No order as to costs.

  
Member Judicial. 28.4.92

Shakeel/

Lucknow: Dated: 28.4.92.