

**CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH,
LUCKNOW.**

Original Application No. 295 of 2011

This the 30th day of January, 2012

Hon'ble Mr. Justice Alok K Singh, Member-J

Param Hans Tiwari, Aged about 51 years, S/o late Kedar Nath Tiwari, R/o A-189/1, New Defence Colonyt, Bahadur Shah Marg, Dilkusha, Lucknow Cantt.

.....Applicant

By Advocate : Sri Praveen Kumar

Versus.

1. Union of India through the Director General, NCC, HQ, NCC, West Block IV, R.K. Puram, New Delhi.
2. The Additional Director General, NCC Directorate (U.P.), Ashok Marg, Lucknow.
3. Major K.S. Kataria, Additional Director (Establishment), NCC Directorate (U.P.), Ashok Marg, Lucknow.
4. Sri Naveen Kumar Mishra, Junior Clerk, Posted under Additional Director (Establishment) NCC Directorate (U.P.), Ashok Marg, Lucknow

.....Respondents.

By Advocate :Sri Rajendra Singh

O R D E R (Oral)

This O.A. has been filed for the following relief(s):

- (i) *to quash the impugned order dated 29.6.2011 and rejection order dated 12.7.2011, contained as Annexure no. A-1 and A-2 to this O.A.*
- (ii) *to allow the applicant to continue on the post of UDC and pay him salary regularly.*



(ii) *Any other relief, which this Hon'ble Tribunal may deem fit, just and proper under the circumstances of the case, may also be passed.*

(iv) *Cost of the present case."*

2. The case of the applicant is that he is working as U.D.C. on regular basis and presently he is posted in the Branch of NCC, Lucknow. Vide order dated 29.6.2011 (Annexure A01) he was shifted from Pers. (B) to B&F branch. He moved a representation against it (Annexure A-6), which has been rejected by another impugned order dated 12.7.2011 (Annexure A-2). Lastly, he moved a representation addressed to Director General NCC, NCC Headquarters, New Delhi through proper channel on 15.7.2011 (Annexure A-7).

3. Perusal of Counter Reply sworn by Col. D.S. Bisht, Director, NCC Directorate on behalf of official respondent nos. 1 & 2 shows that in para 15 it is clearly mentioned that the aforesaid last representation dated 15.7.2011 has been forwarded to Director General, NCC, New Delhi.

4. Learned counsel for the applicant says that it would meet the ends of justice if the pending representation of the applicant is directed to be decided by this Tribunal within a stipulated period by passing a reasoned and speaking order. As far as this request is concerned, learned counsel for the respondents has no objection.

5. Having regard to the above, this Tribunal is not adverting to other grounds mentioned in the O.A.

AC

6. In view of the above, this O.A. is finally disposed of with a direction to respondent nos. 1 & 2 to consider and decide the pending representation of the applicant dated 15.7.2011 (Annexure A-7) by means of a well reasoned and speaking order expeditiously say within a period of two months from the date of receipt of a certified copy of this order. No order as to costs.


(Justice Alok K. Singh) 30.1.12
Member-J

Girish/-