

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH : PATNA

Date of order:-4.7.2006

Registration No. OA-370 of 2006

C O R A M

Hon'ble Km Sadhna Srivastava, Member (J)

Hon'ble Shri S.N.P.N.Sinha, Member (A)

.....

Shri Gopal & Others

... Applicants

-By Shri M.P.Dixit, Advocate

Versus

Union of India & Others

...Respondents

-By Shri M.K.Mishra, Senior Central Government Standing Counsel

O R D E R

(Pronounced in open Court
through dictation)

Hon'ble Km Sadhna Srivastava, Member (J):- At the outset Counsel for the applicants submits that before coming to the Tribunal the applicants have filed representations raising their grievances ^{that} in Headquarters and other Regional Offices the respondents are observing 5 days week whereas in Carpet Weaving Training-cum-Service Centre, Patna the respondents are observing 6 days week. It is alleged that ;there is clear violation of Article 14 of the Constitution. They pray that the respondents may be directed to induct a five days week system in the office of the Respondent No.4 instead of 6 days like other offices under the control of respondents nos. 2 & 3.

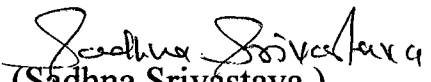


2. Shri M.P.Dixit Counsel for the applicants submits that the representation followed by several reminders are still pending. Respondent No.4 has also referred the request of the applicant to the respondent No.3 for redressal. He prays that the representation filed by the applicants may be decided by the respondents within stipulated time.

3. Shri M.K.Mishra, counsel for the respondents submits that since the representations are still pending the OA is premature and liable to be dismissed. ^{He further claims that} The applicants have no legal right to claim the aforesaid relief.

4. We are of the opinion that in a matter where representation has been filed to the competent authority it is always desirable that the representation be first considered by that authority and disposed of ⁺ before this Tribunal is called upon to decide the matter. Since the representations filed by the applicants are still pending we are of considered opinion that the OA can be disposed of at the admission stage itself by giving a direction to the competent authority to decide their representation. Accordingly we direct the respondent No.2 to examine the matter and decide the same by speaking and reasoned order within a period of three months from the date of receipt of a copy of this order. It is needless to say that we have not expressed any opinion on the merit of the case. The OA is accordingly disposed of at the admission stage itself with no order as to costs.


(S.N.P.N. Sinha)
Member(A)


(Sadhna Srivastava)
Member (J)

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