

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PATNA BENCH, PATNA.

O.A. No. 718 of 2005

Date of order : 4<sup>th</sup> May, 2006

C O R A M

Hon'ble Mr. Justice P.K. Sinha, V.C.

Jata Shankar Prasad

Vs.

Union of India & Others.

Counsel for the applicant : Shri Amarendra Kumar

Counsel for the respondents : Shri S.K. Tiwary

O R D E R (Oral)

By Justice P.K. Sinha, V.C.:-

Heard Both sides.

2. From order dated 23.11.2005 it appears that, while moving for admission of the application, the learned counsel for the applicant had submitted that the applicant had filed a representation before respondent No. 4 ( Annexure A/6) against the promotions, as mentioned in Annexure A/2 in which the name of the applicant does not figure. The learned counsel for the applicant has argued that since that representation is still pending before the Engineer-in-chief, Army Head Quarters, Kashmir House, New Delhi, which is dated 30.3.2005, that may first be disposed of. However, a Bench of this Tribunal holding that the matter related to Division Bench, directed to place it before a Division Bench. It will appear that by a subsequent order by the Hon'ble Chairman, CAT, the cases relating to direction to dispose of pending representation are cognizable by

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a Single Bench. Therefore, so far this prayer is concerned, this can be considered by a Single Bench which is how the matter is being heard.

3. Since the representation of the applicant is pending before the competent authority against the notification at Annexure A/2 for his promotion as private Secretary, it is appropriate that the competent authority disposes of that representation on administrative side, before this Tribunal considers that matter.

4. In that view of the matter, respondent No. 2 , Engineer-in-chief, Army Head Quarters , Kashmir House, BPQ PO New Delhi is directed to consider the representation at Annexure A/6, if not already considered, along with materials available in this application and to dispose of the same by a reasoned order, within three months of receipt of a copy of this order. For that purpose, the application may be treated as part of the representation. The applicant is also directed to provide to respondent No. 2 a copy of this order along with copy of the instant OA with annexures, within three weeks of receipt of the certified copy of this order.

5. With the aforesaid directions, this application is disposed of, with no order as to the cost.



[ P.K. Sinha ] V.C.

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