

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

OA-579/2001

CP No.21/2003 and
MP-353/2003

1st May, 2003

MP-353/2003 has been moved by the respondents for further extension of time. Shri V.S.Masurkar, learned counsel for the respondents has submitted that other Ministries are involved ^{for} in taking decision for the implementation of the decision in the OA. It has not become possible to take decision ^{immediately} and the delay for implementation is neither intentional nor motivated but due to unavoidable lengthy administrative procedure. He has drawn our attention to a letter dated 28/3/2003 wherein the ~~directions~~ of the Director (S&D) Shri V.K.Sharma has stated the position ^{as} stated by the CPWD with regard to ^{their} ~~our~~ inability to abolish all the 600 posts of Drafts man as recommended by the Expenditure Reforms Commission ^{and this} has been intimated to the Finance Division by the Ministry of Urban Development. They have been requested to take up the matter with Committee of Secretaries. According to Shri V.S.Masurkar, the matter is now pending with the Secretaries ~~of the~~ Committee and some decision will be taken very soon. It appears that the matter is pending at the highest level and since the policy decision is required to be taken by the Government and the matter also involves the consideration of abolition of the post, it is understandable that some time would be required. ^{As} observed by Hon'ble High Court, departmental ^{or elephant} ~~hierarchy~~ never moves very fast and departmental delays can be understandable. However, in the instant case we find that sufficient time has already been given. The Ministerial dealings and the procedural delays cannot be a ground for asking for extension of further time. Shri Saxena, learned counsel for respondents has opposed further

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extension of time, submit that more than sufficient time has already been given. We would like to point out to the authorities concerned, ^{that} delay in implementation of the order in OA ^{reason} should not be a ~~measure~~ for extension of time for other case. In the circumstances of the present case, since the orders were passed by Tribunal on 20/8/2001, and since it takes some time to carry out the implementation of the order, though we have already granted sufficient time, in the interest of justice, we are extending the time as a last chance with a rider that any further extension shall not be considered. The MP is therefore allowed and time is extended till ~~31/8/2003~~ ³¹⁻⁷⁻²⁰⁰³ with the above directions. MP stands disposed of.

CP-21/2003 be listed on 7/8/2003

Sr
(SHANKAR PRASAD)
MEMBER(A)

A. S.
(A.S. SANGHVI)
MEMBER(J)

abp

*Corrected vide
order dt 15/7/2003
Shankar Prasad R*