

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6
PRESOCOT ROAD, BOMBAY-1
CAMP: NAGPUR

OA 1356/92

Padmakar Dinkar Pathak
20 Padmachhaya Maharshi Karve Nagar
Wardha Road; Nagpur ..Applicant

V/s.

Deputy Accountant General Works,
Office of the Accountant General
(A&E)-II, Maharashtra, Nagpur & Ors. ..Respondents

Coram: Hon. Shri Justice M.S. Deshpande, V.C.

APPEARANCE:

Ms. Pathak for Mr. Maþpakwar
counsel
for applicant

ORAL JUDGMENT: DATED: 23.7.93
(PER: M.S. Deshpande, Vice Chairman)

Heard the counsel for applicant. None for
the respondents.

It appears that after the adverse remarks
were communicated to the applicant, the applicant
made a representation and on the basis of that
representation the respondents expunged all the
other adverse remarks except five adverse remarks.
The applicant made a further representation against
the retention of five adverse remarks and by the
communication dated 3.8.92 that representation was
rejected.

It is difficult to sustain the charge of
non application of mind by the respondents because
certain adverse remarks were deleted after the first
representation. According to Ms. Pathak, the adverse
remarks which were retained were communicated with
those which were expunged and therefore even they
could not have been retained. It is difficult to
accept this submission because it is for the
authority to assess the work of its employee and the

(4)

-2-

Tribunal would only ensure whether the procedural formalities have been observed. Since that has been done in the present case no interference is called for in this case.

The application is dismissed.

[Signature]
(M.S.Deshpande)
Vice Chairman

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