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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6  
PRESCOT 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. Maipakwar  
counsel  
for applicant

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

DATED: 23.7.93

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.

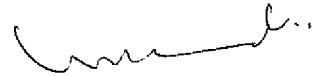
It is difficult to sustain the charge of non application of mind by the respondents because certain adverse remarks were deleted after the first representation. According to Ms. Pathak, the adverse remarks which were retained were communicated with those which were expunged and therefore even they could 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

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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.



(M.S. Deshpande)  
Vice Chairman