

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

O.A.No.411/2001

Date of order: 13.9.2001

R.S.Sharma, S/o Sh.M.L.Sharma, Asstt.Director,  
Directorate of Census Operations, Jaipur (Rajasthan)  
...Applicant.

Vs.

1. Union of India through Secretary, Mini. of Home Affairs, New Delhi.
2. Registrar General & Census Commissioner of India, Mini. of Home Affairs, Govt of India, New Delhi.
3. Director, Census Operations, Rajasthan, Jaipur.
4. Plant Protection Advisor to Govt. of India, Directorate of Plant Protection, Quarantine & Storage, Deptt. of Agriculture & Cooperation, Mini. of Agriculture, Faridabad (Haryana).
5. Union Public Service Commission through its Secretary, Dholpur House, New Delhi.

...Respondents.

Mr. M.Rafiq : Counsel for applicant

CORAM:

Hon'ble Mr.S.K.Agarwal, Judicial Member.

Hon'ble Mr.S.A.T.Rizvi, Administrative Member.

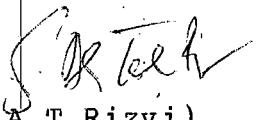
PER HON'BLE MR S.K.AGARWAL, JUDICIAL MEMBER.

In this O.A. filed under Sec.19 of the ATs Act, 1985, the applicant makes a prayer (i) to quash and set aside the order dated 4.8.2000 (Annex.A1) and to declare the same as illegal and unconstitutional and (ii) to quash and set aside the order Annex.A4 passed by respondent No.4 (parent department of the applicant) threatening to terminate the lien and consequential order dated 28.8.2001 (Annex.A16) directing to relieve the applicant w.e.f. 24.9.2001.

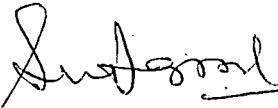
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2. Heard the learned counsel for the applicant on admission. The learned counsel for the applicant submits that the applicant has filed representation dated 11.5.2001 for redressal of his grievances to respondent No.5 but the same has not been disposed of. He submits that this O.A may be disposed of by giving a suitable directions to respondent No.5 for deciding the representation by considering the grievances of the applicant sympathetically by a reasoned and speaking order, within a specified period. He also submits that in the meantime the <sup>Concerned</sup> ~~parent~~ department may be directed not to relieve the applicant till the representation dated 11.5.2001 is not disposed of.

3. In view of the submissions made before us, we disposed of this O.A with the direction to respondent No.5 to decide/dispose of the representation dated 11.5.2001 filed by the applicant by a reasoned and speaking order, within a period of 4 weeks from the date of receipt of a copy of this order, considering the grievances of the applicant sympathetically and as per rules. The applicant shall be at liberty to approach the appropriate forum in case he feels aggrieved by the decision of such representation. In the meantime, respondent No.4 (parent department of the applicant) is directed not to take any action against the applicant in pursuance of letter dated 7/9.2.2001 (Annex.A14). A copy of this order may be sent to respondent No.4 and respondent No.5 for necessary action.

  
(S.A.T.Rizvi)

Member (A).

  
(S.K.Agarwal)

Member (J).