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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

OA 167/2003

DATE OF ORDER: 02.06.2003

Sher Singh son of Shri Ram Nath aged about 45 years, resident of Malviya Nagar, Jaipur. Presently posted as H.O.D./Vice Principal, Institute of Hotel Management, Sikar Road, Bani Park, Jaipur.

Applicant.

VERSUS

1. Union of India through Secretary Tourism, Ministry of Tourism, Government of India, New Delhi, Transport Bhawan, Parliament Street, New Delhi.

2. Institute of Hotel Management, Catering Technology and Applied Nutrition, Bani Park, Sikar Road, Jaipur through its Chairman, Secretary Tourism, Government of Rajasthan, Secretariat, Jaipur.

3. Shri A.K. Singh, Principal/Secretary, State Institute of Hotel Management, Jodhpur, Poly Technic Campus, Jodhpur.

Respondents.

Mr. J.K. Singhi, Counsel for the applicant.

Mr. Amod Kasliwal, Counsel for respondent No. 2.

None present for other respondents.

CORAM:


Hon'ble Mr. Justice G.L. Gupta, Vice Chairman,

Hon'ble Mr. G.C. Srivastava, Member (Administrative)

ORDER

PER MR. JUSTICE G.L. GUPTA

Through this OA, the applicant calls in question the order dated 31.1.2003 (Annexure A/1) whereby respondent No. 3 took charge from Mr. A.K. Srivastava, the then Principal. It is



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averred that respondent No. 3 is not an employee of the Institution and so he could not be given charge in preference to the applicant.

2. Reply has been filed wherein it is stated that applicant is not eligible to hold the post of Principal.

3. Rejoinder has also been filed.

4. The learned counsel for the applicant states that for the present his client will be satisfied if a direction is given to the official respondent/competent authority to dispose of the representation, which the applicant may file, within fixed time limit. The learned counsel for the respondent has no objection in giving such directions.

5. Consequently, the competent authority is directed to consider and dispose of the representation of the applicant, if filed within five days from today. The representation be disposed of within ten days from the date of receipt of the representation. A speaking order be passed and the applicant be informed about the same within five days thereafter.

6. The Application stands disposed of accordingly.

G.C. Shrivastava
(G.C. SRIVASTAVA)
MEMBER (A)

G.L. Gupta
(G.L. GUPTA)
VICE CHAIRMAN