

CENTRAL ADMINISTRATIVE TRIBUNAL,
JABALPUR BENCH,
JABALPUR

O.A. No. 924 of 2005

Jabalpur, this the 23rd day of February, 2006

Hon'ble Shri Justice G. Sivarajan, Vice Chairman

Mahesh Prakash Tiwari,
S/o. Shri R.C. Tiwari,
Date of birth – 1/10/1958,
R/o. Plot No. 21-B,
Professors' Colony, Suhagi,
Adhartal, Jabalpur.

..... Applicant

(By Advocate – None)

VERSUS

1. The Secretary, Indian Council
for Agriculture Research,
(ICAR), Krishi Bhawan,
New Delhi.

2. The Director, National Research
Centre for Weed Science,
(NRCWS), Jabalpur.

..... Respondents

(By Advocate – None)

ORDER (Oral)

Neither the counsel for the applicant, nor the applicant is present. There is also no appearance for the respondents. The respondents were directed to file written statement within 4 weeks on 5.10.2005. Though this case was posted before the Deputy Registrar on three occasions, there was no appearance, either for the applicant or for the respondents. The reply has also not been filed. Having gone through the matter, I am of the view that this application can be disposed of even without a reply, for the reason that the representation submitted by the applicant before the respondents remains un-disposed of.

2. The applicant Shri M.P. Tiwari holding the post of Technical Assistant (T-3) under functional group of workshop was promoted to the

[Signature]

next higher grade T-4 in the pay scale of Rs. 5,500-175-9,000/- with effect from 1.1.2000 as per office order dated 11.6.2001 (Annexure A-1). It was ordered therein that the pay of the applicant will be fixed as per rules under TSR. Since the pay of the applicant based on Annexure A-1 has not been fixed and the consequential arrears not being paid the applicant by representation dated 26.5.2003 (Annexure A-7) requested the second respondent to take urgent steps for pay fixation as directed in Annexure A-1 order. Since there was no response to this representation, the applicant made another representation dated 8.4.2004 and a reminder dated 30.9.2004 before the second respondent. Alleging that there is no response to all these representations (Annexure A-7), the applicant has filed this OA seeking for direction to the respondents to fix the applicant's pay as per Annexure A-1 and for further direction to the respondents to consider the case of the applicant for placement/promotion in T-5 category with effect from 1.1.2005 with all consequential benefits.

3. Since the applicant's representations (Annexure A-7) based on Annexure A-1 are stated to be pending before the second respondent from 2003 onwards, I am of the view that the appropriate course at this point of time is to direct the second respondent to consider the representations (Annexure A-7) and to pass orders thereon. Accordingly, there will be a direction to the second respondent to take a decision on the representations (Annexure A-7) in the light of office order dated 11.6.2001 (Annexure A-1) as expeditiously as possible within a period of two months from the date of receipt of this order. The order so passed must be a speaking, reasoned and detailed one and the same will be furnished to the applicant within two weeks thereafter.

4. The OA is disposed of as above at the admission stage itself. The applicant will produce a copy of this OA along with this order before the second respondent for compliance.


(G. Sivarajan)
Vice Chairman

पतिलिपि दत्तः शिलः—

पलिलिपि ७-८: शिखः—

- (1) सचिव, जल संसाधन विभाग, जयपुर
 (2) आवेदन को प्रो. ... के माध्यम से
 (3) प्रत्यक्षी ... के माध्यम से
 (4) वसुधा, ...

सचिना एवं अनादिक

उप रजिस्ट्रार

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