

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR
Original Application No 987 of 2004

Jabalpur, this the 1st day of April, 2005.

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Ms. Sadhna Srivastava, Judicial Member

Panchamlal Berman,
S/o Shri Basodilal Berman,
Date of birth 7.1.1954,
R/o Bhagatsingh Ward,
Badi Khermai, Panagar
District Jabalpur, (M.P.)

Applicant.

(By Advocate – Shri S. Paul)

V E R S U S

1. Union of India,
Through its Secretary,
Ministry of Tourism & Culture,
New Delhi.
2. Director General,
Archaeological Survey of India,
New Delhi.
3. Superintendent Archaeologist(Head Office)
Archaeological Survey of India,
T.T. Nagar, Bhopal.

Respondents

(By Advocate – Shri K.N. Pethia)

O R D E R(Oral)

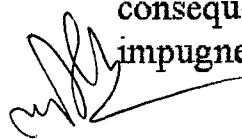
By M.P. Singh, Vice Chairman –

Heard the learned counsel for the parties.

2. By filing this Original Application, the applicant has sought the following main reliefs :-

“(ii) Set aside the impugned order dated 26.8.2004 (Annexure A/1).


(iii) Consequently, command the respondents to provide all consequential benefits to the applicants as if the aforesaid impugned order Annexure A/1 has never passed.”




3. The brief facts of the case are that the applicant is working as Monument Attendant under the respondent No. 3 i.e Superintendent Archaeologist. He has been compulsory retired from service under FR 56(j) vide order dated 26.8.04. The learned counsel for the applicants states that the applicant has submitted a representation to the respondent no.2 i.e. Director General, Archaeological Survey of India, on 27.11.2004(Annexure-R-j-1) which is still pending. The respondents have not yet taken any decision on the aforesaid representation of the applicant. He further states that the applicant will be satisfied if the respondents be directed to consider and decide the aforesaid representation dated 27.11.2004 of the applicant by passing a detailed and reasoned order within a time frame.

4. In the facts and circumstances of the case, we direct the respondent no.2 to consider and decide the aforesaid representation dated 27.11.2004 of the applicant by passing a detailed, reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. It is made clear that the respondent no.2 will not take the ground of limitation while considering the representation of the applicant. After ^{taken} a decision is/is on the representation of the applicant, he will be at liberty to approach the Tribunal if he still feels aggrieved and so advised.

5. With the above directions, the OA is disposed of. No costs.


(Ms. Sadhna Srivastava)
Judicial Member


(M.P. Singh)
Vice Chairman