

(B)

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORDER SHEET

ORDERS OF THE TRIBUNAL

13.3.2008

OA 74/2008

Mr. P. N. Jatti, counsel for applicant.

Heard learned counsel for the applicant. The OA stands disposed of, at admission stage itself, by a separate order.


(J.P. SHUKLA)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

vk

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 13th day of March, 2008

CORAM :

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER
HON'BLE MR.J.P.SHUKLA, ADMINISITRATIVE MEMBER

ORIGINAL APPLICATION NO.74/2008

Amer Singh,
Drilling Engnieer,
O/o Geological Survey of India,
15-16, Jhalana Doongri,
Jaipur.

... Applicant

(By Advocate : Shri P.N.Jatti)

Versus

1. Union of India through
Secretary to the Govt.,
Ministry of Mines,
Shastri Bhawan,
New Delhi.
2. Director General,
Geological Survey of India,
29, Jawahar Lal Nehru Road,
Kolkata.
3. Deputy Director General (Western Region),
Geological Survey of India,
15-16, Jhalana Doongri,
Jaipur.

... Respondents

(By Advocate : - - -)

ORDER (ORAL)

PER HON'BLE MR.M.L.CHAUHAN

The applicant has filed this OA thereby praying
for the following relief :

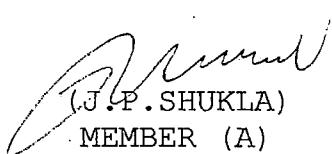
"8.1 That by a suitable writ order or direction the
impugned order dated 20.11.2007 be quashed and
set aside.

8.2 That by a suitable writ/order or direction the respondents be directed to restore the rest 20 posts of the Drilling Engineer (Senior) within No time and to conduct the DPC for filling up the posts of the Drilling Engineer (Senior) from the Drilling Engineers (Junior)."

3. We have heard the learned counsel for the applicant. In sum and substance grievance of the applicant is that out of 34 posts of Drilling Engineer (Senior), 18 posts have been reduced by respondent No.2, who is not competent to do so. Thus, according to the learned counsel for the applicant, action of respondent No.2 is highly arbitrary, on account of which right of promotion of the applicant has been adversely affected.

4. We have given due consideration to the submission made by the learned counsel for the applicant. We are of the view that approaching to this Tribunal is not a proper remedy at this stage. In case, respondent No.2 has acted arbitrarily in reducing the aforesaid posts, it is always open for the applicant to approach the higher authority for ventilating his grievances. Thus, without entering into the merit of the case, we are of the view that the ends of justice will be met if a direction is given to the applicant to make a representation to respondent No.1 within a period of 15 days thereby ventilating his grievances and in that eventuality respondent No.1 is directed to decide the said representation within a period of six weeks from the date of receipt thereof by passing a reasoned and speaking order dealing with all the contentions raised by the applicant.

5. With these observations, the OA stands disposed of, at admission stage itself, with no order as to costs.


(J.P. SHUKLA)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)