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CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

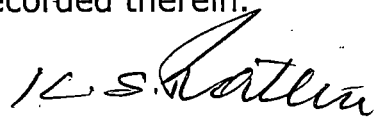
ORDERS OF THE BENCH

Date of Order: 17.11.2011

O.A. No. 534/2011

Mr. Mahendra Shah, counsel for applicant.

Heard. O.A. is disposed of by a separate order on the separate sheets for the reasons recorded therein.


(JUSTICE K.S. RATHORE)
MEMBER (J)

Kumawat

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 534/2011

DATE OF ORDER: 17.11.2011

CORAM

HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER

Durga Prasad Yadav S/o late Shri Radha Krishnan Yadav, age 62 years, R/o 2- Shri Ram Nagar-B, Kalwad Road, Jhotwara, Jaipur.

...Applicant

Mr. Mahendra Shah, counsel for applicant.

VERSUS

1. Union of India through its Secretary, Department of Personnel & Training, Ministry of Personnel, Public Grievances & Pension, North Block, New Delhi - 110001.
2. The Secretary (Service & Vigilance), Department of Personnel & Training, North Block, New Delhi - 110001.
3. The Director General (Resettlement), West Block, R.K. Puram, New Delhi - 110066.
4. The Regional Director, Staff Selection Commission, Block No. 12, C.G.O. Complex, Lodhi Road, New Delhi - 110003.
5. The Principal Accountant General (A&E), Jan Path, C-Scheme, Jaipur - 302005.

...Respondents

ORDER (ORAL)

The present Original Application has been preferred by the applicant praying that by an appropriate orders or directions, the respondents may be directed to treat the applicant an appointee against the recruitment of 1993 on the post of Clerk and accordingly his services from 1995 in the year in which the selectees of 1993 selection were given the appointment and consequently by counting the service from the aforesaid year, the applicant be given the pensionary benefits with all consequential benefits. To this effect, the applicant has served a Notice for Demand of Justice dated 28.09.2011 (Annex. A/8) upon the respondents through his counsel. Upon careful perusal



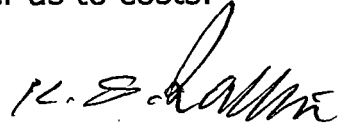
of the pleadings as well as documents, it is evident that the said Notice for Demand of Justice dated 28.09.2011 is still pending consideration before the respondents, which is also not disputed by the learned counsel appearing for the applicant.

2. Having considered the aspect that the Notice for Demand of Justice dated 28.09.2011, which has been given by the applicant through his counsel, is still pending consideration before the respondents, I deem it just and proper that the ends of justice would be met if the respondents are directed to consider and decide the same by passing a reasoned and speaking order.

3. Consequently, the respondents are directed to consider and decide the said Notice for Demand of Justice dated 28.09.2011 (Annex. A/8) and pass a reasoned and speaking order and communicate the decision so taken on the said notice for demand of justice to the applicant expeditiously but in any case not later than a period of three months from the date of receipt of a copy of this order.

4. The applicant is given liberty to redress his grievance by way of filing the substantive Original Application, if any prejudicial order against his interest is passed by the respondents.

5. With these observations and directions, the Original Application is disposed of with no order as to costs.


(JUSTICE K.S. RATHORE)
MEMBER (J)