

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

O.A. No.060/00405/2014 Decided on: 12.05.2014

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)
Hon'ble Mr. Uday Kumar Varma, Member (A)**

Dr. Bhola Nath Malik S/o R.K. Malik, Dy. Director, CPPTC Gurgaon, Haryana R/o Plot No. 556/20, Gali No. 2 Om Nagar, Gurgaon, 122001, Department of Animal Husbandry, Dairying and Fisheries, Krishi Bhawan, New Delhi.

**.....Applicant
Versus**

1. Union of India through its Secretary, Ministry of Agriculture, Department of Animal Husbandry, Dairying and Fisheries, Krishi Bhawan, New Delhi - 110001.
2. The Joint commissioner of Poultry, Ministry of Agriculture Department of Animal Husbandry, Dairying and Fisheries, Krishi Bhawan, New Delhi.

.....Respondents

Present: Mr. P.L. Varma, counsel for the applicant

Order (oral)

By Hon'ble Mr. Sanjeev Kaushik, Member(J)

1. By way of the present O.A., the applicant has sought issuance of a direction to the respondents to rectify his seniority by taking into consideration his status and qualification.
2. On commencement of hearing, learned counsel for the applicant submits that the applicant has already served a



legal notice dated 15.09.2013 (Annexure A-6) stating therein that while finalizing the seniority, the applicant has been prejudiced as the final seniority list has been issued without considering his objections against the draft seniority list. He makes a statement at the Bar that the applicant would be satisfied if a direction is issued to the respondents to decide his legal notice (Annexure A-6) by a reasoned and speaking order.

3. Since a limited prayer has been made on behalf of the applicant to decide his legal notice which is pending consideration with the respondents, no prejudice would cause to the respondents if the O.A. is disposed of without issuing notice to them. In view thereof, there is no need to issue notice to the respondents and call for their reply.

4. Accordingly, the O.A. is disposed of, with direction to the respondents to consider and take a view on the legal notice (Annexure A-6) in accordance with law, within a period of three months from the date of receipt of a copy of this order. It is made clear that disposal of the case shall, in no way, influence the decision to be taken by the respondents. They may take an independent decision on the legal notice of the applicant. If the objections raised by the applicant have already been considered

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and decided, a copy of the order passed to that effect be communicated to him so that he may challenge it before the Court of Law if he is aggrieved.

5. No costs.

Uday Kumar Varma
(UDAY KUMAR VARMA)
MEMBER (A)

Sanjeev Kaushik
(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: Chandigarh
Dated: 12.05.2014

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