

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALAHABAD BENCH, ALAHABAD**

Allahabad, this the **10th Day of July**, 2018

Present :

Hon'ble Shri Gokul Chandrapati, Member-A

Hon'ble Shri Rakesh Jain, Member - J

Original Application No.330/658/2018

Jayaprakash. N

Subedar Major

Junior Engineer (E & M)

S/o K. Narayana Pillai

O/o GE (AF) Bamrauli,

Allahabad.

.....Applicant.

By Advocate – Shri Udai Chandani

V E R S U S

1. Union of India Through Secretary, Ministry of Defence, New Delhi
2. Engineer-in-Chief, Military Engineer Services, Integrated HQ of Ministry of Defence (Army), Kashmir House, DHQ PO Rajaji Marg, New Delhi.
3. HQ, Chief Engineer, Central Command, Lucknow
4. HQ, Chief Engineer (AF), Allahabad
5. HQ, CWE (AF) Bamrauli, Allahabad
6. Garrison Engineer (AF) Bamrauli, Allahabad.

.....Respondents.

By Advocate : Shri N. P. Shukla.

O R D E RDelivered by Hon'ble Shri Gokul Chandrapati, Member-A :

Shri Uday Chandani, learned counsel for the applicant and Shri N. P. Shukla, learned counsel for the respondents are present.

2. Heard learned counsel for the parties and perused the papers on record.
3. Learned counsel for the applicant submitted that the applicant has preferred a representation dated 12.05.2017 (Annexure A-I) to the competent authority to consider his case for lateral absorption as per existing policy of the Ministry and his grievances would be redressed if a direction is given to the respondent No.2/competent authority to dispose of his representation on merit within specific time period.
4. Learned counsel for the respondents submitted that he may be allowed to seek instructions and file counter affidavit and also stated that representation is pre mature since the applicant is already in service.
5. In view of the prayer made by counsel for the applicant, we are of the view that no useful purpose will be served to

keep this OA pending. Accordingly, without going into merits of the case, including the issue of limitation, we dispose of the O.A. with direction to the respondent No. 2/competent authority to consider the application dated 12.05.2017 (Annexure A-I of the O.A.) submitted by the applicant for absorbing him laterally from the date of his superannuation by passing a reasoned and speaking order within a period of four months from the date of receipt of a certified copy of this order.

6. With above directions, the OA stands disposed of. No costs.

(Rakesh Sagar Jain) (Gokul Chandra Pati)
Member - J Member – (A)
Shashi/