

**Central Administrative Tribunal
Principal Bench, New Delhi**

R.A.No.200/2014 in O.A.No.3975/2011

Thursday, this the 3rd day of December, 2015

Hon'ble Mr. A.K. Bhardwaj, Member (J)

Ashok Golas
(Belonging to Indian Telecommunication Service Group A)
(superannuated on June 30, 2010)
101-A, Mount Kailash,
New Delhi-65

..Applicant

(Applicant in person)

Versus

1. Union of India through the Secretary
Department of Telecommunications,
Ministry of Communications & IT
Govt. of India
Sanchar Bhavan, 20 Ashok Road
New Delhi-1
2. The Member (Services)
Department of Communications
Ministry of Communications & IT
Govt. of India
Sanchar Bhavan, 20 Ashok Road
New Delhi-1
3. The Chairman & Managing Director
Bharat Sanchar Nigam Limited,
Govt. of India Undertaking
(Under Department of Telecommunications,
Ministry of Communications & IT, Govt. of India)
Third Floor, Bharat Sanchar Bhavan
Janpath, New Delhi-1
4. Mr. Kuldeep Goyal, ex-CMD, BSNL
F-703 Aditya Mega City

Vaibhav Khand, Shipra Sun City PO
Ghaziabad (Uttar Pradesh) 201 014

..Respondents

(Mr. Rajeev Kumar, Advocate for respondent Nos. 1 and 2 –
Mr. Rajnish Prasad, Advocate for respondent No.3)

O R D E R (ORAL)

The applicant, who has filed the present Review Application in person, filed the affidavit dated 28.11.2015 stating therein that he does not wish to press the allegations made against Mr. Rajeev Kumar, learned counsel for respondent Nos. 1 and 2 any further. In view of the said affidavit, all the allegations made by the applicant against Mr. Rajeev Kumar, learned counsel are directed to be struck off the record.

2. In the present Review Application filed under Section 22 (3) (f) of Administrative Tribunals Act, 1985, the applicant sought review of the Order dated 05.08.2014. In terms of the said Order, respondent Nos. 1 and 2 were directed to decide the representation dated 17.12.2010 made by the applicant. According to him, the Order passed by the Tribunal is erroneous because in paragraph 1 of the Order, his prayer is not produced in verbatim; in paragraph 2 (iv) of the Order, the language used is incorrect, as it is grading of the ACR and not the grading of the remark in the ACR; and the view taken by the Tribunal that the three-tier system of recording the ACR is not in vogue is wrong.

3. As far as the first argument is concerned, it is not necessary to reproduce the prayer made in the petition in the Order in verbatim. The tenor of the grievance raised by the applicant in the Original Application has been correctly reflected in the opening paragraph of the Order. In paragraph 2 (iv) of the Order, the words “grading of the remark” are erroneously used / added and should be deleted. As far as the plea of the applicant that no three-tier system of recording the ACR is still in vogue is concerned, the plea has already been dealt with in paragraph 9 of the Order.

4. Nevertheless, since the Original Application was disposed of with direction to respondent Nos. 1 and 2 to decide the representation of the applicant dated 17.12.2010, they would examine the said plea of the applicant *de hors* the findings recorded in paragraph 9 of the Order.

5. Review Application stands disposed of. No costs.

(A.K. Bhardwaj)
Member (J)

December 3, 2015
/sunil/