

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI**

**OA No.625/2017**

**New Delhi, this the 20<sup>th</sup> day of February, 2017**

**Hon'ble Mr. V. Ajay Kumar, Member (J)  
Hon'ble Mr. P.K.Basu, Member (A)**

Brijesh Kumar Khare

Aged about 67 years

(Retired)

S/o late Shri Ram Das Khare

R/o A-85, Vikas Colony

Nandanpur Jhansi (U.P.)

Pin Code 284003.

....Applicant

(By Advocate: Shri S.N.Kaul with Shri P.S.Khare)

Versus

1. Union of India  
Through Secretary  
Ministry of Urban Development  
(Works Division)  
Nirman Bhawan, New Delhi.
2. Director General (Works)  
CPWD  
Nirman Bhawan, New Delhi.
3. Shri Avtar Singh  
Ex-Executive Engineer  
Through Director General (Works)  
CPWD, Nirman Bhawan, New Delhi. .... Respondents.

**ORDER (ORAL)**

**By Hon'ble Mr. V. Ajay Kumar,**

Heard the learned counsel for the applicant.

2. The applicant filed the present OA seeking the following reliefs :-

- “(a) to call for the records of related DPC based on which grant to NFU has been allowed to 63 EEs including the juniors to the applicant named at serial No.8 in the impugned order dated 13.07.2016.
- “(b) to declare that DPC proceedings drawn against the rules regulations is bad in law and legally untenable to the extent that the name of the applicant has not been considered.

(c) To direct the respondents to allow him the benefit of NFU w.e.f. 1.4.2009 with all consequential benefits.

(d) To pass an order and orders as deemed fit by the Hon'ble Tribunal."

3. It is submitted that the applicant got issued a legal notice dated 21.10.2016, ventilating his grievances to the respondents, however, they have not passed any order thereon till date.

4. In the circumstances, the OA is disposed of, at the admission stage without going into the merits of the case, by directing the respondents to consider the legal notice dated 21.10.2016 and pass appropriate reasoned and speaking order within 90 days from the date of receipt of a copy of this order, in accordance with law. No costs.

Let a copy of the OA, be enclosed to this order.

**(P.K.BASU)**  
**Member (A)**

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**(V. AJAY KUMAR)**  
**Member (J)**