

**Central Administrative Tribunal
Principal Bench**

**OA No.2811/2014
MA No.2814/2014**

New Delhi, this the 21st day of March, 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

A.K. Dang, Age 61 years, Asstt. Director(Retd.)
S/o Late Shri R.R. Dang
R/o H-14, Sai Apartments
Sector-13, Rohini, Delhi-110085. ..Applicant

(By Advocate: Shri P. S. Ranga)

Versus

1. Union of India through
Secretary, Ministry of Statistics
And Programme Implementation
Govt. of India, Sardar Patel Bhawan
New Delhi.
2. Director General and Chief Executive Officer
National Sample Survey Organisation
Ministry of Statistics and Programme
Implementation, Sardar Patel Bhawan
New Delhi.
3. Director, Computer Centre
Ministry of Statistics and Programme
Implementation, East Block-10
R.K. Puram, New Delhi.
4. Bharat Singh, S-33/5, DLF City
Phase-3, Gurgaon (Haryana)-12200 ..Respondents

(By Advocate: Mrs. Avnish Kaur for respondent Nos.1 to 3.
Shri Deepak Verma for respondent No4.)

ORDER (ORAL)

Justice Permod Kohli, Chairman :-

The applicant has filed this OA seeking following reliefs:-

“(a) Allow the O.A. of the applicant with directions to the Respondent No.1 to 3 to rectify their erroneous action as pointed out by the Fact Finding Committee set up under directions of CIC.”

2. As a matter of fact, the relief claimed is so vague and ambiguous that even after hearing learned counsel for the applicant for considerable time, he has not been able to point out the exact relief claimed in the present OA. From the relevant record, we find that earlier also the applicant had filed OA No.2203/2014 which was disposed of by this Tribunal vide order dated 08.07.2014. The said order reads as under:-

“After some arguments, Mr. P. S. Ranga, learned counsel for applicant seeks permission to withdraw the present Original Application with liberty to move fresh application in proper form with proper relief. Ordered accordingly.

2. The Original Application stands dismissed as withdrawn”

From the above order, it is revealed that the applicant wanted to file a fresh Application with all details and the relief claimed. However, in the present OA also, we find that no specific relief has been claimed, nor any order, the applicant seems to be aggrieved, has been challenged. It is not possible for this Tribunal to find out the claim of the applicant.

3. The present OA is otherwise also barred by time. The applicant has made application for condonation of delay. Though in the application it is mentioned that the delay is of three years six months and two days, however, learned counsel for the applicant submits that the delay is of two years, six months and two days. From the application, we find that the applicant has only referred to the order passed by the Central Information Commission (CIC) and the Fact Finding Committee. Any action taken on the basis of the report of the Fact Finding Committee is not referred to. Merely on the basis of the information by the CPIO and the report of the Fact Finding Committee, no relief can be granted to the applicant. If the applicant is aggrieved of the finding of the Fact Finding Committee, his remedy is elsewhere. Apart from that, from the report of the Fact Finding Committee comprising of three officers, we find that one Bharat Singh was promoted in 1996, and the applicant was promoted in the subsequent promotion in the year 2000. The Fact Finding Committee further mentioned that it was erroneously assumed that the applicant was the junior most ad hoc Assistant Director. As a matter of fact, the applicant is raking the issue which pertains to the promotion made in the year 1996. The applicant retired in the year 2013 and Bharat Singh in 2012. This Application is hopelessly time barred. The condonation of delay application does not reveal these facts and

no valid ground is made out for condoning the delay. The condonation application is dismissed and consequently the OA.

(K.N. Shrivastava)
Member(A)

(Justice Permod Kohli)
Chairman

/pj/