

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

O.A.No. 1950/2017

This the 31st day of May, 2017

**Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Ms. Praveen Mahajan, Member (A)**

Shri MSA Khan HS-12
Age 53 years, Gp 'C'
Office : GE New Delhi, Delhi Cantt-110010
R/o: 128/3, Sector No.-1, Pushp Vihar,
New Delhi-110017. ... Applicant

(By Advocate: Shri I.S.Yadav)

Versus

1. Union of India,
Through Secretary (Defence)
Ministry of Defence
South Block,
New Delhi-110011.

2. Engineer-in-Chief's
Kashmir House, Rajaji Marg,
Integrated HQ of MoD (Army)
DHQ PO-New Delhi-110011.

3. Headquarters,
Chief Engineer,
Western Command,
PIN-908543, C/O 56 APO.

4. HQ Commander Works Engineers
New Delhi,
Delhi Cantt 10. Respondents.

(By Advocate: Shri Hanu Bhaskar)

ORDER (ORAL)

Hon'ble Mr. V. Ajay Kumar, Member (J)

Heard the learned counsel for the applicant.

2. Heard Shri Hanu Bhaskar, learned counsel on receipt of advance notice on behalf of the respondents.

3. The applicant, who is working as Highly Skilled-1 (HS-1) under the respondents, filed the present OA seeking the following reliefs :-

- "(i) To declared the action of respondents as unjust, arbitrary and illegal; and
- (ii) To issue the direction to the Respondent No.3 to convene the DPC from Fitter (HS-1) to MCM and consider the name of the petitioner in the DPC. If the petitioner found eligible for promotion should be promoted from the date the vacancy available and grant the consequential benefits.
- (iii) To award exemplary cost; and
- (iv) To pass any order as this Hon'ble Tribunal deem fit in the interest of justice."

4. It is submitted that the applicant has made number of representations and also got issued a legal notice vide Annexure A-7 dated 20.03.2017 ventilating his grievances to the respondents, however, the respondents have not passed any order thereon till date.

5. 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 (Annexure A-7 dated 20.03.2017) 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.

(Praveen Mahajan)
Member (A)

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(V. Ajay Kumar)
Member (J)