

**Central Administrative Tribunal
Principal Bench**

OA No. 4224/2017

New Delhi, this the 1st day of December, 2017

Hon'ble Mr.V.Ajay Kumar, Member (J)
Hon'ble Ms. Nita Chowdhury, Member (A)

Manju TCM No.2999, Aged 50 years,
Group 'C',
W/o Pankaj Kumar,
R/o 204, Sadan Puri,
Kankar Kher,
Meerut Cantt. (UP)

... Applicant

(By Advocate: Sh. U. Srivastava)

Versus

1. Union of India through the Secretary,
Department of Defence Production,
MoD, New Delhi.
2. The Director General,
EME MGO's Branch,
IHQ of MoD,
(Army) DHQ, PO: New Delhi.
3. The Commander, HQ Base Workshop,
Group, EME, Meerut Cantt.

... Respondents

(By Advocate: Shri R.K. Sharma)

ORDER (ORAL)

Mr. V. Ajay Kumar, Member (J) :-

Heard Shri U. Srivastava, learned counsel for applicant and
Shri R.K. Sharma, learned counsel, on receipt of advance notice for
the respondents.

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

- (a) Directing the respondents to place the relevant records pertaining to the present O.A. before their Lordships for the proper adjudication in the matter in the interest of justice.
- (b) Declaring the inactions of the respondent No.2 not to considering and finalizing the grievances of the applicant submitted in the shape of a detailed representation dt. 06.06.17 (**Annexure A/1**) on the subject 'Posting of Husband and Wife at same station' highlighting the discrimination is as illegal, unjust, arbitrary, malice in law, unconstitutional, against the principles of natural of justice, violative of articles 14, 16 & 21 of the constitution of India, against the mandatory provisions of law, in violation of the provisions stipulated under relevant rules and instructions on the subject further direct the respondent No.2 to consider and finalize the request of the applicant for extension the benefits of DoP&T instructions dt. 30.09.09 which is still pending within some stipulated period.
- (d) Allowing the O.A. of the applicant with all other consequential benefits and costs.
- (e) Any other fit and proper relief may also be granted to the applicants."

3. It is submitted that the applicant made a number of representations, ventilating his grievances, but the respondents have not passed any order thereon till date. However, one of the documents filed by the applicant at page 12 of the OA dated 25.05.2017, clearly indicates that the respondents have considered

the claim of the applicant and rejected the same. The applicant instead of questioning the said order, if he is aggrieved by the same, made another representation and filed the instant OA.

4. In the circumstances, the OA is dismissed. However, the applicant is at liberty to question the order dated 25.05.2017 passed by the respondents, if he is aggrieved. No costs.

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

(Nita Chowdhury)
Member (A)

(V. Ajay Kumar)
Member (J)

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