

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A. No. 3757/2018

The 3rd day of October, 2018

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MR. A.K. BISHNOI, MEMBER (A)**

Mohit Kumar Mawar,
Senior Secretariat Assistant (SSA),
Group 'B', Aged 45 years,
S/o Shri Bishan Singh,
R/o A2/95C, Keshav Puram,
Lawrence Road, New Delhi-110035.

.. Applicant

(By Advocate : Shri R.K. Kapoor with Ms. Kheyali)

Versus

1. Union of India,
Through the Secretary,
Department of Electronics and
Information & Technology,
Electronics Niketan,
6, CGO Complex,
Lodhi Road, New Delhi-110003.
2. National Informatics Centre,
Through its Director General,
Electronics Niketan,
6, CGO Complex,
Lodhi Road, New Delhi-110003.
3. Department of Personal and Training,
Through the Secretary,
Ministry of Personnel, Public Grievances & Pensions,
Govt. of India,
New Delhi.

.. Respondents

(By Advocate : Shri G.D. Chawla for Mrs. Harvinder Oberoi)

ORDER (ORAL)**By Mr. V. Ajay Kumar, Member (J)**

Heard Shri R.K. Kapoor, learned counsel for the applicant and Shri G.D. Chawla representing Mrs. Harvinder Oberoi, learned counsel appeared on behalf of the respondents – Union of India, on receipt of advance notice.

2. The applicant filed the O.A. seeking the following relief(s):

- “(a) direct the respondents to consider and grant the benefit of Promotion to the Applicant, to the post of Assistant Section Officer for LDCE, 2015 by giving the requisite relaxation as granted to similarly situated candidates earlier, with all consequential benefits including arrears, along with consequential benefits and arrear in the subsequent grades as well;
- (b) Direct the respondents to consider and grant the benefit of Departmental Promotion to the applicant on the basis of 2016 results;
- (c) Direct the respondents to compensate the applicant for the financial loss, loss of reputation, frustration, mental agony for depriving them in an arbitrary manner the benefits to which they were entitled to in accordance with the applicable guidelines/memorandum as interpreted by the Hon’ble High Court which is binding on the respondents.
- (d) Any other relief/order which this Hon’ble Tribunal deems fit and proper in the facts and circumstances of the case may also be passed in favour of the applicants and against the respondents.
- (e) award costs of the proceedings.”

3. It is submitted that the applicant made a representation vide Annexure A-3 dated 04.07.2018 ventilating his grievances to the respondents. However, it is seen that the Annexure A-3

representation dated 04.07.2018 is made to the Joint Director, National Informatics Centre and not to any competent authority.

4. In the circumstances, the O.A. is disposed of at the admission stage itself, without going into the merits of the case, by permitting the applicant to make an appropriate representation ventilating his grievances, if any, to the correct authority within two weeks from the date of receipt of a certified copy of this order, and if such a representation is made by the applicant, the concerned authority shall consider the same and pass appropriate speaking and reasoned orders thereon, in accordance with law, within 90 days therefrom. No order as to costs.

Let a copy of the O.A. be enclosed to this order.

(A.K. BISHNOI)
Member (A)

(V. AJAY KUMAR)
Member (J)

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