

**Central Administrative Tribunal
Principal Bench**

OA No.2106/2017

New Delhi, this the 16th day of November, 2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)**

Rajeev Shrivastava
Aged 52 years
S/o Late O.P. Shrivastava
Defence Estates Officer
(Indian Defence Estates Service)
Jabalpur Circle
Near Defence Cinema
Jabalpur Cantt. (M.P.)-482001. ... Applicant

(By Advocates: Shri R. Bala Subramanian and Shri Santosh Kumar)

Versus

1. Union of India
through its Secretary
Ministry of Defence
South Block, New Delhi-110011.
2. Director General, Defence Estates
Raksha Samapda Bhawan
Ulaanbaatar Marg
Delhi Cantt-110010.
3. Shri Balsharan Singh
Aged about 64 years
Father's name not known to the applicant
B-691, Second Floor
Metro View Apartment
Sector 12, Dwarka
New Delhi-110075. ... Respondents

(By Advocate: Shri Vijender Singh)

ORDER (ORAL)**Justice L. Narasimha Reddy:-**

This OA is filed with a prayer to direct the respondents to extend the benefit of Non Functional Selection Grade(NFSG) to the applicant, with effect from the date on which his immediate junior was extended that benefit. The applicant contends that he became entitled to be extended the benefit and still the respondents have denied the same to him. The respondents have filed a detailed counter affidavit opposing the OA.

2. We heard Shri R. Balasubramanian with Shri Santosh Kumar, learned counsel for the applicant and Shri Vijender Singh, learned counsel for the respondents.

3. We are handicapped from dealing with the OA in detail on account of the fact that the applicant did not furnish a copy of the Scheme of NFSG. Unless the contents are known, it would be difficult to apply the same to the facts of the applicant.

4. Further, during the course of arguments, learned counsel for the applicant submitted that the ACRs of

the applicant, for certain years, were upgraded or set aside as *non-est*. That development would also have a bearing of the extension of the benefit. We take note of the fact that the applicant is known for his frequent litigations and the tone and tenor thereof is different from being normal.

5. Under these circumstances, the OA is disposed of leaving it open to the applicant to submit a representation seeking the reliefs in a polite language and confining to the facts of the case. As and when such representation is made, the respondents shall deal with the same in accordance with law within a period of one month thereafter. We also direct that if the applicant mentions anything irrelevant or in a derogatory language, the respondents shall not be under obligation to consider the representation at all. There shall be no order as to costs.

(Pradeep Kumar) (Justice L. Narasimha Reddy)
Member(A) Chairman

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