

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

M.A. No.2366/2017
O.A No.1769/2017

New Delhi, this the 22nd day of May, 2018

Hon'ble Mr. Justice Dinesh Gupta, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)

Dr. S.C. Lali,
S/o Shri Shyam Lal
Aged about 51 years,
R/o G-158, Ground Floor,
Dilshad Colony, Delhi-110095
Employed as Scientist 'E'
In the Institute of Genomics and Integrative Biology,
Council of Scientific and Industrial Research (CSIR),
Delhi. .. Applicant

(By Advocate: Ms. Kamalakshi Singh & Ms. Bharti Verma)

Versus

1. Union of India through
The Secretary,
Department of Scientific and Industrial Research,
Ministry of Science and Technology,
Qutub Institutional Area,
New Mehrauli Road,
New Delhi.
2. The Director General,
Council of Scientific and Industrial Research,
Anusandhan Bhawan,
Rafi Marg, New Delhi-01.
3. The Director,
Institute of Genomism & Integrative Biology,
Mall Road, Delhi. .. Respondents

(By Advocate : Ms. Niyati Patwardhan)

ORDER (ORAL)**Mr. K.N. Shrivastava, Member (A):****MA No.2366/2017**

Through the medium of this MA, a prayer has been made for condonation of delay. Learned counsel for the applicant submits that there is a delay of 04 months and 05 days in filing the OA. Explaining the same, she submits that the applicant is aggrieved of Annexure A-1 OM dated 04.06.2015, whereby his request for upgradation of APAR was turned down. It is stated that the applicant has made a representation against Annexure A-1 order dated 04.06.2015. Considering the fact that the applicant had to necessarily wait for six months for the respondents to take decision on his representation and thereafter one year time was available to him as per the Administrative Tribunals Act, 1985 for filing the OA, the delay comes to just 04 months and 05 days since the OA was filed on 02.05.2017.

2. We find that the period of delay mentioned in the application is different than what has been mentioned by the learned counsel for the applicant at Bar.

3. In view of the explanation furnished by the learned counsel for the applicant and for the reasons stated in the condonation

application, we condone the delay of 04 months and 05 days in filing the OA. MA stands allowed accordingly.

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4. Considering the nature of reliefs claimed, we are of the view that this OA can be disposed of by giving liberty to the applicant to submit a comprehensive representation to Respondent No.2 for consideration mentioning therein the reliefs claimed as well as the grounds for such consideration and, in turn, a direction to Respondent No.2 to decide the representation of the applicant within a time bound manner.

5. Accordingly, we dispose of this OA in the following terms:-

- i) ***The applicant shall submit a comprehensive representation to the respondents within a period of four weeks from the date of receipt of a certified copy of this order;***
- ii) ***Respondent No.2 shall dispose of the representation of the applicant within 08 weeks thereafter by passing a reasoned and speaking order;***
- iii) ***The applicant shall have liberty to take appropriate recourse as available to him in accordance with law***

***in case he remains dissatisfied with the order to be
passed by Respondent No.2 on his representation.***

6. No order as to costs.

(K.N. Shrivastava)
Member (A)

(Justice Dinesh Gupta)
Chairman

cc.