

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

ORIGINAL APPLICATION NO.060/01073/2018

Chandigarh, this the 7th day of September, 2018

...

**CORAM: HON'BLE MR.SANJEEV KAUSHIK, MEMBER (J) &
HON"BLE MS. P. GOPINATH, MEMBER (A)**

...

Gurmukh Singh MTS (Multi Tasking Staff) aged about 43 years old, son of Late Sh. Karam Singh resident of Village Nada, Post Office Naya Gaon, Tehsil Kharar, District SAS Nagar, 160103 (Group C)

....APPLICANT

(Argued by: Mr. Kamaldip Singh Sidhu, Advocate)

VERSUS

1. Union of India through its Controller & Auditor General of India, 9, Deen Dayal Upadhyaya Marg, New Delhi – 110124.
2. The Principal Accountant General (Audit) Haryana, Plot No. 4-5, Sector 33-B, Dakshin Marg, Chandigarh- 160020.

....RESPONDENTS

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. The present O.A. is directed against reply dated 05.07.2018 (Annexure A-9) to legal notice wherein the respondents have rejected the request of the applicant for promotion to the post of Clerk.
2. The Hon'ble High Court has held in a number of cases that no case lies against reply to legal notice. Also, as per the Central Administrative Tribunal Act, 1985, an aggrieved person can file an O.A. only against a final order passed by the authority. Therefore, since no final order, passed by the respondents, in this case is before this Court, we are not inclined to entertain the O.A.

3. At this stage, learned counsel for the applicant submitted that let a direction be issued to the respondents to pass a speaking order on the claim of the applicant.

4. Considering the above, the respondents are directed to pass a final order on the claim of the applicant, raised before them by way of legal notice, to enable him to approach the court of law for redressal of his grievance, if so advised. The needful be done within a period of two weeks from the date of receipt of a copy of this order. A copy of the order be duly communicated to the applicant.

Disposed of accordingly.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 07.09.2018

'mw'



