

AN APPLICATION:

Under Section 19 of the Administrative Tribunal Act, 1985.

OA. 1104/2017

BETWEEN

Shri Anjanava Pandit, son of Late
Janaki Das Pandit, aged about 49
years, residing at Prantik Saheb Bagan,
P.O. Samabaypally, District-Howrah,
Pin code - 711 205.

.....Petitioner/Applicant

- Versus -

1. Union of India, through The
Secretary, Department of Defence
Production, Ministry of Defence,
Government of India, South Block,
New Delhi - 110 011.
2. The Director General Ordinance
Factories, Disciplinary
Authority, Government of India,
Ministry of Defence, Ordnance
Factory Board, 10A, Shaheed K
Bose Road, Kolkata - 700 001
3. The Senior General Manager
/General Manager, Government of
India, Ministry of Defence, Indian
Ordnance Factories, Metal & Steel

WAL

Factory, Ishapore, Nawabgang,
District - 24 Pargannas(N).

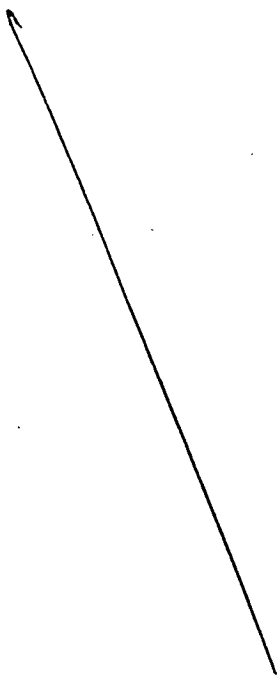
Pin - 743 144.

4. The Jt. General Manager/A&HR
Government of India, Ministry of
Defence, Indian Ordnance
Factories, Metal & Steel Factory,
Ishapore, Nawabgang, District - 24
Pargannas(N). Pin - 743 144.

5. The Works Manager/HR,
Government of India, Ministry
of Defence, Indian Ordnance
Factories, Metal & Steel
Factory, Ishapore, Nawabgang,
District - 24 Pargannas(N).
Pin - 743 144.

.....Respondents

WQ



No. O.A. 350/01104/2017

Date of order: 21.9.2017

Present: Hon'ble Mr. A.K. Pattnaik, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

For the Applicant : Ms. S. Dutta, Counsel

For the Respondents : Ms. S. Sha, Counsel

ORDER (Oral)

A.K. Pattnaik, Judicial Member:

Heard Ms. S. Dutta, Ld. Counsel for the applicant and Ms. S. Sha, Ld. Counsel appearing on behalf of Mr. T.K. Chatterjee, Ld. Counsel for the official respondents.

2. During hearing on admission, a doubt arose in our mind, as to what departmental remedy the applicant has availed. Ms. Dutta fairly submitted that the applicant apprehended that some coercive action would be taken against him, therefore, without exhausting departmental remedies he has approached this Tribunal. Now she seeks liberty of this Tribunal to make an appeal to the respondent No. 2 within a period of 4 weeks from today and prays that a specific direction be issued to the concerned respondent No. 2 to consider and dispose of the appeal, taking into account all the points raised in the appeal as well as the rules governing the field.

3. We do not think it will be prejudicial to either of the sides, if the O.A. is disposed of by granting liberty to the applicant to make an appeal within a period of 4 weeks from today. Accordingly, we dispose of this O.A. by granting liberty to the applicant to make an appeal within a period of 4 weeks from today, and if any such appeal is received by the respondent No. 2 within 4 weeks from today then the concerned respondent No. 2 is directed to consider the same as per rules and regulations governing the field within a period of 6 weeks from the date of receipt of the appeal and communicate the result thereof to the applicant within a period of 2 weeks

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thereafter.


4. We make it clear that though we have not entered into the merits of the case and all the points are left open for consideration of respondent No. 2 still then we hope and trust that after such consideration if the applicant is found entitled to the benefits as claimed by him then the respondents may do the needful at their end.

5. With the aforesaid observation and direction, the O.A. is disposed of.

6. Registry to issue copy of this order to Ld. Counsel for both sides.

7. The applicant is directed to annex copy of this order along with all relevant documents with his appeal.


(Dr. Nandita Chatterjee)
Administrative Member


(A.K. Pattnaik)
Judicial Member

SP