

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

No. O.A. 350/00340/2018

Date of order: 9.3.2018

**Present: Hon'ble Ms. Manjula Das, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member**

**K. Venugopal,
Son of K. Venkateswara Rao,
Aged about 56 years,
By Occupation – Working as AGE (Contract)
At the Office of Garrison Engineer (Fort William),
Residing at Qtr. No. 15/16, Grannary Barrack,
Fort William,
Kolkata – 700 021.**

.. Applicants

Vs.

- 1. Union of India,
Service through the Secretary
Ministry of Defence,
New Delhi - 110 011.**
- 2. The Directorate General (Personnel),
HQ Military Engineer Services,
Kashmir House, Rajaji Marg,
New Delhi - 110 011.**
- 3. The Chief Engineer,
Headquarters, Kolkata Zone,
Military Engineer Services,
BM Camp, Gurusaday Road,
Kolkata - 700 019.**
- 4. The Commander Works Engineer,
Headquarters, Military Engineer Services,
1, National Library Avenue, Alipore,
Kolkata - 700 027.**
- 5. The Garrison Engineer,
Fort William,
Kolkata Military Engineer Services,
D-9, Commissariat Road,
Hastings, Kolkata - 700 022.**

.. Respondents

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : None

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

Heard Ld. Counsel for the applicant.

2. This application has been filed under Section 19 of the Administrative Tribunal Act, 1985 seeking the following relief:-

(a) Office Order No. MES/01/2018 dated 07.02.2018 issued by the Directorate General (Personnel), HQ Military Engineer Services in respect of the applicant is not tenable in the eye of law and a such the same may be quashed.

(b) Movement Order No. 1037/Mov/FW/148/EIC(1) dated 24.2.2018 issued by the Garrison Engineer, Fort William, Kolkata, Military Engineer Services is not tenable in the eye of law and as such the same may be quashed.

(c) Certify and transmit the entire records and papers pertaining to the applicant's case so that after the causes shown thereof concessionable justice may be done unto the applicant by way of grant of reliefs a prayed for in (i) and (ii), above.

(d) Costs."

3. Ld. Counsel for the applicant submits that the representation dated 10.2.2018 has been submitted to respondent No. 2 but no decision has been conveyed to him upon the same till date.

4. The Ld. Counsel for the applicant also fairly submits that his present purpose will be served if a direction is given to the respondents to consider and dispose of the representation within a period of two months.

5. Without entering into the merits of the case, we hereby direct the respondent NO. 2 to dispose of the representation of the applicant dated 10.2.2018 (Annexure A-2 to the O.A.), received at his end, within a period of 4 weeks from the date of receipt of a copy of this order. If the applicant is found entitled to the said benefits as claimed by him in the O.A. he may be extended the said benefits within a period of 2 months from the date of taking a decision on the representation.

6. Needless to say that such order should be reasoned and speaking and should be based on the rules, regulations and policy of the respondent authority and once a decision is arrived at same should be communicated immediately to the applicant.

7. With this, the O.A. is disposed of. There shall be no orders as to

costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Manjula Das)
Judicial Member

SP

