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DISTRICT: NORTH 24 PARGANAS

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

Original Application No. 350 / 509 / 2018.

In the Matter of :

An application under section 19 of the  
Administrative Tribunal Act, 1985 ;

- And -

In the Matter of :

Bharat Kumbhar S/o Late Deenabandhu Kumbhar  
Residing at 8-B, Central Government Officers Residence,  
Dover Lane Extension, Kolkata-700029  
Working as Superintending Surveyor in Survey of India,  
West Bengal & Sikkim GDC, Kolkata ... Applicant

- verses -

1. Union of India, through  
Secretary to the Government of India,  
Department of Science and Technology,  
Ministry of Science and Technology,  
Technology Bhawan, New Mehrauli Road,  
New Delhi-110016
2. Surveyor General of India,  
Surveyor General's Office,  
Survey of India,  
Hathibarkala Estate,  
Dehradun-248001
3. The Additional Surveyor General,  
Eastern Zone, Survey of India,  
15 Wood Street, Kolkata-16
4. The Director,  
West Bengal & Sikkim GDC,  
Survey of India,  
13 Wood Street, Kolkata ... Respondents



CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH  
KOLKATA

O A No.350 /509/2018

Date of order: 17.04.2018

Coram : Hon'ble Mr.A.K. Patnaik, Judicial Member  
Hon'ble Dr.(Ms.) Nandita Chatterjee, Administrative Member

For the applicant : In person  
For the respondents : None

**ORDER**

**A. K. Patnaik , Judicial Member**

This O.A. has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs :

“(a) An order directing the respondents to withdraw/review the transfer order No.E1-185/701 (Placement Committee) dated 09.01.2018;  
(b) An order directing the respondent authorities to consider representation within a time limit as specified by the Ld. Tribunal and act in accordance with law;  
(c) And to pass such other further order or other order as your Lordship may deem fit and proper.”

2. Heard the applicant in person. None appears on behalf of the official respondents.

3. The applicant submitted that he has made a representation to the Respondent No.2 i.e. the Surveyor General of India, Surveyor General's Office, Survey of India, Hathibarkala Estate, Dehradun ventilating his grievances therein on 12.01.2018(Annexure A/12) and he would be satisfied for the present if a direction is given to the said authority to consider and dispose of the representation of the applicant as per rules in a time bound manner.



4. Right to know the result of the representation that too at the earliest opportunity is a part of compliance of principles of natural justice. The employer is also duty bound to look to the grievance of the employee and respond to him in a suitable manner, without any delay. In the instant case, as it appears, though the applicant submitted representation to the authorities ventilating his grievances on 12.01.2018 ,no reply has been received by him till date.

5. It is apt for us to place reliance on the decision of the Hon'ble Supreme Court of India in the case of **S.S.Rathore-Vrs-State of Madhya Pradesh, AIR1990 SC Page 10 / 1990 SCC (L&S) Page 50** (para 17) in which it has been held as under:

“17. .... ....Redressal of grievances in the hands of the departmental authorities take an unduly long time. That is so on account of the fact that no attention is ordinarily bestowed over these matters and they are not considered to be governmental business of substance. This approach has to be deprecated and authorities on whom power is vested to dispose of the appeals and revisions under the Service Rules must dispose of such matters as expeditiously as possible. Ordinarily, a period of three to six months should be the outer limit. That would discipline the system and keep the public servant away from a protracted period of litigation.”

6. Though no notice has been issued to the respondents, we find that it would not be prejudicial to either of the parties if a direction is issued to the respondent authorities to consider and dispose of the representations of the applicant by passing a well reasoned order as per rules and guidelines governing the field.

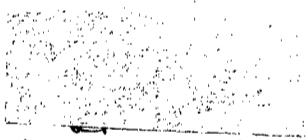
7. Accordingly without waiting for reply from the respondents we direct the Respondent No.2 i.e. the Surveyor General of India, Surveyor General's Office, Survey of India, Hathibarkala Estate, Dehradun to consider and dispose of the representation of the applicant dated 12.01.2018(Annexure A/12) by way of passing a well reasoned order within a period of six weeks from the date of



receipt of a copy of this order under communication to the applicant. After such consideration if the grievance of the applicant is found to be genuine, then expeditious steps may be taken by the respondent authorities to extend the consequential benefits to the applicant within a further period of six weeks from the date of such consideration. Till the representation of the applicant is disposed of and the result thereof is communicated to him, status quo as on date, so far as continuance of the applicant, shall be maintained.

8. It is made clear that we have not gone into the merits of the case and all the points raised in the representation are kept open for consideration by the respondent authorities as per rules and guidelines governing the field.
9. A copy of this order be given to the applicant for communication to the respondents.
10. With the above observations the O.A. stands disposed of. No order as to cost.

  
(Dr. Nandita Chatterjee)  
Administrative Member  
sb

  
( A. K. Patnaik )  
Judicial Member