

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION No.622/2018.

Date of Decision: 15.10.2018.

CORAM: HON'BLE DR. BHAGWAN SAHAI, MEMBER (A)
HON'BLE SHRI R.N. SINGH, MEMBER (J)

Gopal Singh
 Son of Shri Chander Singh, Age 49 yrs.
 Occ. - Unemployed,
 Presently R/at Shrivasti Nagar, Colony
 No.5, Survey No.72/18/1, Ghorpadi,
 Near Anant Theatre, Pune 411 001. ... ***Applicant***
(By Advocate Shri Yogendra Pratap Singh)

VERSUS

1. The Union of India, through
 The Secretary of Ministry of Defence,
 104, South Block, New Delhi 110 011.
2. The Chief of the Army Staff
 Integrated Headquarters of Ministry of
 Defence (Army), South Block,
 New Delhi 110 011.
3. Director General of Manpower
 Directorate General of Manpower
 MP-4 (Civil) (B), Adjutant's General
 IHQ of MoD(Army), West Block-III
 RK Puram, New Delhi 110 066.
4. Director General of Indigenisation
 Directorate General of Indigenisation
 MGO's Branch/DGEME, 2nd Floor,
 Wing-5, West Block-III, RK Puram,
 New Delhi 110 066.
5. Directorate General,
 Directorate of EME (Civ), Master General
 of Ordnance Branch, IHQ of MoD(Army),
 DHQ PO, New Delhi 110 105.
6. The Officer-in-charge
 DSW (Engg Eqpt), C/o CQA (EE),
 3rd Floor, Aundh Camp, Pune 411 027. ... ***Respondents***

ORDER (Oral)

Per : Shri R.N. Singh, Member (J)

Heard the learned counsel for the Applicant.

2. By way of this OA, the applicant has sought the following reliefs:

“8.1) Direct the Adjutant General, IHQ MoD(Army) to extend the validity of NAC suitably which was expired on 25/06/2017;

8.2) Direct the DSW(Ee) to issue appointment letter to the applicant in the post of Draughtman-II(DM-II) with effect from 01.06.2017;

8.3) Direct the respondents to appoint the applicant in the post of Draughtsman-II(DM-II) with effect from 01.06.2017.

8.4) Calculate and pay the arrears of salary of DM-II commencing from the date of appointment till within 3 months from now;

8.5) Grant such other and further reliefs, as the nature and circumstances of this application may require for dispensing justice.”

3. The claim as submitted on behalf of the Applicant is that he had applied for the post of Draughtsman Grade-II (ESM) under the respondents in pursuance to the respondents' Advertisement dated 9-15/5/15 (Annexure A-2). The Applicant participated in the written examination as well as the interview and he was selected for the said post of Draughtsman Grade-II (ESM) and was required

to report on or before 04.11.2016, along with the certificates in original vide letter dated 04.10.2016 (Annexure A-4). It is contended by the learned counsel for the applicant that in compliance with letter dated 04.10.2016, the applicant has reported to the respondents and submitted all the requisite documents vide letter dated 10.02.2017. It is further submitted that up to that time, since the applicant was working as Sepoy under the respondents, he was required to get discharge certificate from them. This he has obtained from the competent authority vide their letter dated 23.05.2017 (Annex. A-6) and has submitted it to the respondents for his appointment as Draughtsman Grade-II (ESM).

4. The grievance of the applicant is that in spite of his having been selected for the said post of Draughtsman Grade-II (ESM) and his reporting to the respondents, he has not yet been appointed by the respondents. Learned counsel for the applicant further submits that the applicant has made representation dated 16.01.2018 (Annex. A-1) to Respondent No.3. However, till date the

applicant has neither been allowed to join the duty as Draughtsman Grade-II (ESM) nor he has received any response from the respondents. In view of the aforesaid, we are of the view that the OA can be disposed of at the admission stage with direction to the respondents to consider the representation of the applicant dated 16.01.2018 and pass a reasoned and speaking order within six weeks of receipt of certified copy of this order.

5. Accordingly, the OA is disposed of with direction to the respondents to consider the representation of the applicant dated 16.01.2018 (Annex. A-1) and pass a reasoned and speaking order within six weeks as above. No order as to costs.

(R.N. Singh)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

dm.