

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/587/2016

DATE OF ORDER: 02.04.2019

CORAM

HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER
HON'BLE MR. A. MUKHOPADHAYA, ADMINISTRATIVE MEMBER

R.K. Bairwa S/o Mohru Lal, aged about 56 years, r/o B-13, Pawanpura Colony, 200 feet by pass, Vaisali Marg, Jaipur-34, presently working as UDC, Military Engineering Service/184442 C/o GE(I) (Project) Jaipur (recently from HQ CWE Jaipur), Gr. C.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary, Ministry of Defence, Raksha Bhawan, New Delhi – 110011.
2. Directorate General (Pers)/e1c, e-IN-c'S Branch (MES), IHQ, MoD (Army), Kashmir House, Rajaji Marg, New Delhi-110011.
3. Head Quarter, Chief Engineer, South West Command, C/o 56 APO.
4. Head Quarter Chief Engineer, Jaipur Zone, Jaipur.
5. Garrison Engineer-(I), Independent (Project), Kalyan Marg, Jaipur-Cantt.

....Respondents

Mr. Lalit Mohan Bhardwaj, counsel for respondents.

ORDER (Oral)

Per: Suresh Kumar Monga, Judicial Member

The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief: -

"8.1 That by a suitable writ/order or the directions the respondents be directed to allow the promotion of

UDC from L.D.C. w.e.f. 25/5/2013 with all consequential benefits.

8.2 That by a suitable writ/order or the directions the order dated 30/5/2015 annexed as Annexure A/2 be quashed and set aside on the part of the applicant being arbitrary and contradictory.

8.3 Any other relief which the Hon'ble bench deems fit."

2. At the very outset, learned counsel for the applicant stated that the applicant's representation dated 16.07.2015 (Annexure A/1) is still pending before the respondents and the same has not been decided as yet. He further stated that the applicant would be satisfied if a direction is issued to the respondents to decide his said pending representation within a time frame.

3. In view of the aforestated limited prayer made by learned counsel for the applicant, without entering into the merits of the case, the present Original Application is disposed of with a direction to respondent No. 2 to decide the applicant's pending representation dated 16.07.2015 (Annexure A/1) and pass a reasoned and speaking order in accordance with law within a period of two months from the date of receipt of a certified copy of this order. A further direction is issued that before taking any decision over the applicant's representation, he shall also be afforded an opportunity of hearing.

Ordered accordingly. No order as to costs.

(A. MUKHOPADHAYA)
ADMINISTRATIVE MEMBER

(SURESH KUMAR MONGA)
JUDICIAL MEMBER