

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**JODHPUR BENCH**

...

**OA No.290/00104/2018**

**Dated : 30.05.2019**

...

**CORAM: HON'BLE SMT. HINA P. SHAH, MEMBER (J)**  
**HON'BLE SMT. ARCHANA NIGAM, MEMBER (A)**

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Malam Singh son of Shri Hamir Singh, Aged 59 years, Skilled Support Staff in the Central Arid Zone Research Institute, Jodhpur, R/o Village Golia Magra, District Jodhpur.

**...APPLICANT**

BY ADVOCATE : Mr. Vijay Mehta.

**VERSUS**

1. Indian Council of Agricultural Research, through its Secretary, Krishi Bhawan, New Delhi.
2. Director, Central Arid Zone Research Institute, Jodhpur.
3. Assistant Administrative Officer, Central Arid Zone Institute Research, Jodhpur.s

**RESPONDENTS**

BY ADVOCATE: Mr. K.K. Bissa, counsel for R1 to R3.

**ORDER**

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**Hon'ble Smt. Hina P. Shah, Member (J):-**

1. The present Original Application (O.A.) has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985, wherein the applicant seeks the following reliefs:

The applicant prays that order Annexure-A/1 may kindly be quashed. It is further directed to grant due monetary benefits of the suspended period from 31.12.2004 to 26.08.2012 and to make payment of complete salary with due Grade Pay, Dearness Allowance as determined from time to time, bonus, all other allowances and due annual increments of this period. The respondents may kindly be directed to accordingly make fixation of his salary from the date of his suspension and to make payment of due salary accordingly. The applicant may also be awarded interest at the rate of 12% on due amount. Any other order, as

deemed fit, giving relief to the applicant may also be passed. Costs may also be awarded to the applicant.+

2. Heard Shri Vijay Mehta, learned counsel for the applicant and Shri K.K. Bissa, learned counsel for respondents no.1 to 3 and perused the pleadings available on record.

3. It is seen that the applicant has approached this Tribunal without filing representation before the competent authority. In this regard, learned counsel for the applicant submits that the applicant would be satisfied if the applicant is permitted to file a detailed representation before the competent authority and the competent authority may be directed to decide the same within time bound manner.

4. Since the limited prayer is made by the learned counsel for the applicant, we are inclined to dispose of this OA without going into the merits of the case. Accordingly, the OA is disposed of with a direction to the applicant to file a detailed representation bringing all the facts into knowledge of the competent authority within a period of one month from the date of receipt of a copy of this order. The competent authority, thereafter, shall decide the same by passing a reasoned and speaking order within a period of three months strictly in accordance with law. The decision of the said representation be served to the applicant. If the applicant is aggrieved by the said decision of the respondents, he is at liberty to approach the appropriate forum for redressal of his grievance.

5. The OA is disposed of as stated above, with no order as to costs.

**(ARCHANA NIGAM)**  
**MEMBER (A)**

**(HINA P SHAH)**  
**MEMBER (J)**

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