

**CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.**

ORIGINAL APPLICATION NO.1 OF 2019

Date Of Decision:- 7th January, 2019.

***CORAM: HON'BLE SHRI. R. VIJAYKUMAR, MEMBER (A).
HON'BLE SHRI. R. N. SINGH, MEMBER (J).***

Shri. Nitin Ramkrishna Makude
S/o. Late Shri. Mohanlal Shankhala,
Aged 51 years,
Presently working as
Range Forest Officer,
Forest Department,
Union Territory of Daman and Diu,
and attached to the office
The deputy Conservator of
Forest at Daman with posting
at Diu and residing at
Government Quarters,
Moti Daman 306220.

....Applicant

(Applicant by Advocate Shri. Ramesh Ramamurthy)

Versus

1. Union of India

Through the Administrator,
Union Territory of Daman & Diu,
Secretariat Moti Daman 396220.

2. The Secretary,

Forest Department
Union Territory of Daman & Diu,
Secretariat Moti Daman 396220.

3. The Chief Conservator

of Forest,
Union Territory of Daman & Diu,
Secretariat Moti Daman 396220.

4. The Secretary

Ministry of Environment,
Forest and Climate Control,
Government of India,
Paryavaran Bhavan,
Rafi Marg,

New Delhi 110001.**Respondents**
(Respondents by Advocate Shri. R.R. Shetty)

ORDER (ORAL)

PER:- SHRI. R VIJAYKUMAR, MEMBER (A).

1. We have Heard Shri. Ramesh Ramamurthy, learned counsel for the applicant and Shri. V.S. Masurkar, learned counsel for the respondents.

2. The learned counsel for respondents has produced for perusal the original file relating to the issue of impugned notice dated 03.10.2018 to the applicant and the subsequent proceedings that have taken place. The applicant has stated that he has received the notice under Section FR 56(j) and had filed his representation against that notice on 05.11.2018. The notice itself was issued, as seen from a perusal of the original file, with the approval of the competent authority, being the appointing authority of the applicant who is a Group 'B' Gazetted officer designated as Range Forest Officer. After receipt of the representation, the respondents have formed a Representation Committee to consider the representation filed by the applicant and which has formulated its recommendations for consideration of the Competent Authority who has to take a decision in the matter.

3. In the circumstances, this OA is clearly premature. However, we hope that the competent authority will take a

decision in the matter as expeditiously as possible preferably within four weeks from the receipt of a certified copy of this order. All issues relating to the merits of the matter and legal aspects are left open.

4. The original record produced by the learned counsel for respondents at the time of hearing is returned to him after perusing the same.

5. The OA is accordingly disposed of without any order as to costs.

(R.N. Singh)
Member (J)
srp

(R. Vijaykumar)
Member (A)