

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.061/00031/2019

Chandigarh, this the 16th day of January, 2019

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**CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MS. P. GOPINATH, MEMBER (A)**

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MES No. 700004 – Lokesh Kumar Baswal, aged about 28 years, s/o Babu Lal Baswal, r/o Address 1: presently working as AGE Contracts, GE 865 EWS Officer Mess, Village Spituk, Leh, J & K – 913865.

Address 2: Village Nagar Fort, Tehsil Dooni, District Tonk, Rajasthan. Mobile – 8130028033 (Group C)

....Applicant

(Present: Mr. Rohit Samhotra, Advocate)

Versus

1. Union of India through, the Secretary, Government of India, Ministry of Defence, South Block, New Delhi – 110001.
2. Engineer-in-Chief, Military Engineer Services, Kashmir House, Rajaji Marg, New Delhi – 110001.
3. Chief Engineer, Head Quarters, Northern Command, Military Engineer Services, Udhampur, J & K – 913865.
4. Chief Engineer, Head Quarters, Chief Engineer Leh Zone, Leh, J & K – 913865.
5. Commander Works Engineer, Head Quarter 138 Works Engineer, Leh , Pin – 914138, J & K.
6. Garrison Engineer, GE 865 EWS, Village Spituk, Leh, J & K – 913865.

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Respondents

ORDER (Oral)
SANJEEV KAUSHIK, MEMBER (J)

1. This O.A. has been filed by the applicant for implementation of order dated 10.10.2018 (Annexure A-10) which is an internal communication of the department issued by the Engineer in Chief's Branch to the Chief Engineer, Northern Command.
2. Learned counsel submitted that a direction, in pursuance of the request of the applicant, has been issued by the Engineer in Chief regarding functioning of the AGE (Contracts) but the respondents are not honouring the same, therefore, a direction be issued to the respondents to implement it qua the applicant.
3. Section 19 of the Administrative Tribunal Act, 1985 envisages that a person aggrieved against an order, which adversely affects his right, can approach this Court by filing an O.A. However, in the present case, no adverse order against the applicant has been passed by the respondents. This Court cannot be used as a tool for implementation of internal communications of the department.
4. At this stage, learned counsel prays that the applicant may be allowed to withdraw the O.A., to enable him to file it afresh with better particulars. Ordered accordingly.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 16.01.2019

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