

CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCHCIRCUIT BENCH AT RANCHIOA/051/00586/2018WithMA/051/00278/2018Date of Order :- 14.09.2018C O R A M

HON'BLE MR. A.K.PATTNAIK, MEMBER (JUDL.)
 HON'BLE MR. PRADEEP KUMAR, MEMBER (ADMN.)

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Gyanendra Kishore Prasad, S/o Late Babu Jugal Kishore Prasad, R/o
 Birbir Niwas, Malviya Road, Near Sati Mandir, Boddom Bazar,
 Hazaribagh-825301, Jharkhand.Applicant.

By Advocate:- Mrs. Mohini Gupta.

Vs.

1. Union of India through the Secretary, Ministry of Science and Technology, Government of India, New Delhi.
2. Director General, Council of Scientific and Industrial Research, Anusandhan Bhawan, 2 Rafi Marg, New Delhi-110 001.
3. The Director, CIMFR (erstwhile CFRI), PO-FRI, Dist.-Dhanbad.
4. Administrative Officer, CIMFR (erstwhile CFRI), PO-FRI, Dist.-Dhanbad-828108.Respondents.

By Advocate:- Mr. Abhay Prakash, Addl. Standing Counsel.

O R D E R (ORAL)

A.K.Pattnaik, Member (Judl.) :- This application has been filed by the applicant under Section 19 of the A.T.Act praying for the following reliefs:-

"8(a) Quashing and setting aside part of the directions contained in Letter No. OA/38/2011/274 dt. 23/24.07.2015 (Annexure-A/1) wherein arbitrarily, against the principles of natural justice and unilaterally and against the rules, the applicant has been held to belong to isolated cadre while no

such cadre exists in the department and have tried to show disparity on non-practical basis.

(b) Direct the respondents to decide the representations of the applicant.

(c) Direct the respondents to treat the applicant at par with his counterpart in the Ministry of Home Affairs, department of Official Language, Government of India and thereby to give all consequential benefits including payment of arrears with interest from the due date.”

2. At the outset, the learned counsel for the applicant fairly submitted that the applicant is aggrieved by the part of the directions contained in Letter No. OA/38/2011/274 dated 23/24.07.2015 (Annexure-A/1) passed by the Administrative Officer, CSIR, Dhanbad against which he has made several representations addressed to the concerned respondent authorities i.e. respondent no. 3 & 4 (Annexure-6 series). The applicant has also sought for a direction upon the respondents to treat him at par with his counterpart in the Ministry of Home Affairs, Department of Official Language, Government of India and thereby to give all consequential benefits, including payment of arrears with interest from the due date. It is stated that representations on aforesaid two counts are still pending consideration and the applicant would be satisfied if a direction is given to the concerned respondent to consider his pending representations, along with this OA treating it as part of representations, and to pass speaking and reasoned order within the stipulated period.

3. In view of above, we dispose of this OA without entering into the merits of the case with direction to respondent no.2 (Director

General, Council of Scientific and Industrial Research, Anusandhan Bhawan, 2 Rafi Marg, New Delhi-110 001) that if any such representations have been preferred by the applicant and the same are still pending consideration, then the same may be considered, along with the instant OA treating it as part of the representations. The respondent no.2 is directed to pass a reasoned and speaking order within a period of six weeks from the date of receipt of this order.

5. With the aforesaid observation and directions, the OA stands disposed of. The Misc. Application also stands disposed of.

Sd/-
(Pradeep Kumar)
Member(Admn.)

Sd/-
(A.K.Pattnaik)
Member(Judl.)

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