

Central Administrative Tribunal Principal Bench, New Delhi

R.A. No.139/2019
M.A. No.1790/2019
In
O.A. No.4413/2011

This the 17th day of July 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Arun R.S., S/o Radhakrishnan K.M.
Aged 28 years, Director
Manipur Zoological Garden, Imphal
Residing permanently at Kailas House
Thalakulathoor P.O., Kozhikode
Kerala-673317.

....Applicant
versus

1. Union of India, represented by the Secretary to Government of India, Ministry of Environment and Forests, Pariyavaran Bhavan, CGO Complex, New Delhi -110003.
2. Secretary, Department of Personnel and Training, Ministry of Public Grievance and Pension, New Delhi-110001.
3. Director, Indian Forest Service, Ministry of Environment and Forests, Pariyavaran Bhavan, CGO Complex, New Delhi-110003.
4. State of Kerala, represented by the Chief Secretary to Government of Kerala, Secretariat, Trivandrum-695001.
5. State of Manipur, represented by the Chief Secretary to Government of Manipur, Imphal-795001.
6. State of Tripura, represented by the Chief Secretary to Government of Tripura, Agartala-.
7. State of Tamil Nadu, represented by the Chief Secretary to Government of Tamil Nadu, Chennai-400001.
8. State of Karnataka, represented by the Chief Secretary to Government of Karnataka, Bengaluru-
9. State of Uttarakhand, represented by the Chief Secretary to Government of Uttarakhand, Dehradun-246001.

10. State of Madhya Pradesh, represented by the Chief Secretary to Government of Madhya Pradesh, Bhopal-
11. State of Rajasthan, represented by the Chief Secretary to Government of Rajasthan, Jaipur-
12. State of Maharashtra, represented by the Chief Secretary to Government of Maharashtra, Mumbai-
13. State of Andhra Pradesh, represented by the Chief Secretary to Government of Andhra Pradesh Hyderabad-
14. State of Himachal Pradesh, represented by the Chief Secretary to Government of Himachal Pradesh, Shimla
15. R. Adalarasan, DFO, Kozhikode division, O/o PCCF, Govt.of Keral, D/o Forests, Vashuthacaud, Thiruvananthapuram 695014
16. Akash Kumar Verma, ACF, O/o PCCF, Govt. of Uttarakhand, Deptt of Forests, Dehradun
17. Ms.T.Uma, ADCF to Konni Division, O/o PCCF, Govt. of Kerala, D/o Forests, Vazhuthacaud, Thiruvananthapuram 695014.
18. Sreenatha N, ACF, Surat, O/of PCCF Govt. of Gujarat, Deptt. of Forests, Block No.14, Jiwraj Bhai Mehta Bhavan, Gandhinagar-382010.
19. Vinay Kumar, ACF, O/o PCCF, Govt. of Uttarakhan, Deptt. of Forests, Dehradun.
20. Anjan Kumar B.N., Indian Forest Service, Officer Trainee, Office of the Divisional Forest Officer, Mananthavady, Wayanad, Kerala.
21. Ms. Kamla K. ACF, O/of CF, Mysore Circle, Mysore, O/o PCCF, Govt. of Karanataka, Arnya Bhavan, Hallenshwaram, Bangalroe560003.
22. Rahul V.C., ACF, O/o PCCF, Govt. of Tamil Nandu D/o Forests, 79 E/81, Anna Salai: Chennai600006
23. Anupam Sahay, ACF, Dewas (T) , O/o PCCF, Govt. of Madhya Pradesh, Saipura Bhavan, Bhopal 462004.
24. V S.N. V. Prasad, Undergoing training in Bhadrachalam South, O/o PCCF, Govt. of Andhra Pradesh Deptt. of Forests, Saifabad, Hyudrabad500004.
25. Pankaj Kumar, ACF, O/o PCCF, Govt. of Uttarakhand, Deptt. of Forests, Dheradun.

26. Prashant Kumar Singh, ACF, Harda (T) O/o PCCF, Govt. of Mdaya Pradesh Saipura Bhavan, Bhopal 462004.
27. Manoj Kumar Shukla , ACF, O/o PCCF, Govt. of Uttar Prakesh 17, Rana Pratap Marg, Lucknow, 226-001.
28. R. Senthilkumaran, ACF, Dangs, O/o PCCF, Govt. of Gurjarat, Deptt. of Gores, Blcok No.14, Jiwraj Bhai Mehta Bavan, Gandhinagar 382010.
29. Ram Chandra ERajguru, ACF, O/o PCCF, Govt.of Uttarakhand, Deptt of Forests, Dehradun
30. Karthick V, ACF, O/o PCCF, Govt.of Orissa, Deptt. of Forests 2nd & 3rd Floor, Janpath, Saheed Nagar, Bhubaneshwar 751007.
31. Agni Mitra, On probation, A& N Islands, O/o PCCF, A & N Administration, P O Chatham, Deptt of Forests, Port Blair-744101.
32. Ms. Kiran Bisen ACF, Jabalpur (T), O/o PCCF, Govt.of Madya Pradesh, Saipura Bhavan, Bhopal 462004.
33. Abhishek Kumar Singh, ACF, O/o PCCF, Govt. of Chattishgarh, Deptt. o Forests, Raipur.
34. Mohit Kumar Nigam, ACF, O/o PCCF, Govt.of Rajasthan, Depttt of Forests, Van Bhavan, Jaipur -302-009.
35. Ms. Harini V, DFO, Udaipur Forest Divsion, O/o PCCf, Govt. of Rajasthan, Deptt. of Forests, Van Bhavan, Jaipur 302-009.
36. Sunil, ACF, O/o PCCF, Govt. of Rajasthan, Deptt of Forests, Van Bhavan , Jaipur 302-009
37. Nameirakpam Jaswant, ACF , O/o PCCf, Govt. of Sikkim, Deptt of Forests, Deorali: Gangtok 737-102.
38. Shashi Shankar, ACF, O/o PCCF, Govt.of Rajasthan, Deptt of Forests, Van Bhavan, Jaipur-302-009.
39. T.V. Karikalan, ACF, O/o CF, Mysore Circle, Mysore, O/o PCCF Govt. of Karanataka, Arnya Bhavan, Hallenshwaram, Bangalore 560003
40. R.K. Amarjit singh, DFO, Tengnopal Forest Division, O/o PCCF, Govt.of Manipur, Deptt of Forests Sanjenhong, Imphal 795011
41. Vivekanand Jha, On Probation (Korba Division), O/o PCCF, Govt.of Chattishgarh, Deptt. of Forests, Raipur

42. Thejasvi S. N. , ACF O/o PCCF, Govt. of Tamil Nandu D/o Forests, 79E/81, Anna Salai: Chennai 600006.
43. Navneet Singh Bains, ACF, O/o PCCF, Govt. of Punjab, Deptt of Forests, 17, Bays Building Sec. 17: Chandigarh 160-017.
44. Tawheed Ahmad, Deva, ACF, Srinagar Circle, O/o PCCF, Govt.of Jammu Kashmir, Forest Complex, Exchange Raod, Jammu 180001
45. M S. Arun Mahesh Babau, ACF, O/o PCCF, Govt.of Orissa, Deptt of Forests 2nd & 3rd Floor, Janpath, Saheed Ngar, Bhubaneswar 751007.
46. Prakash Chand Gogineni, ACF, O/o PCCF, Govt. of Orissa, Deptt. of Forests 2nd & 3rd Floor, Janpath Saheed Ngar, Bhubaneshwar 751007.
47. Prateek Bhatia, ACF, O/o PCCF, Govt.of assam, Deptt. of Forests, Guwahati 781001.
48. Anisha Kalkoor M, On Probation, A & N Islands, O/o PCCF, A. & N administration, P O Chatham, Deptt of Forests, Port Bla-744101.
49. Kamdi Hemand Bhaskar, ACF, O/o PCCF, Govt. of Nagaland, Deptt of Forests,Kohima 797-001.
50. Kuldeep, DCF (Botanical Garden and Nature Reserve), Chandigarh Admiistration, Deptt of Forests 17, Bays Building: Sec. 17, Chandigarh 160-017.
51. Saurabh Sharma , ACF, Mizoram , O/o PCCF, Govt. of Mizoram, Deptt. Of Forests, Aizawal 796001.
52. Paras Mani Tripathi, Attached to DFO Aalo, Arunachal Pradesh, O/o PCCf, Deptt. of Forests, Govt.of Arunachal Pradsh, Itangar 791101
53. Ms Minakashi Prasad, ACF, O/o PCCF, Govt. of West Bengal, Forest Department, Writers Bulding, Calcutta -700-01.
54. N. Palanikanth, DCF (Wildlife), NDH, Silavasa, O/O PCCF, Govt.of Dadra & Nagar Heveli, Silvasa-396-230
55. Ms. C. Meenkashi, Inter cadre deputation to Tamil Nandu, O/o PCCF, Govt.of Tamil Nandu D/o Forests, 79E, 81 Anna Salai :PCheenai 600006
56. Sriram J. ACF, O/o PCCF, Govt.of Chattishgarh, Deptt. of Forests, Raipur,

57. B. Mohandaas, ACF, Chenab Circle, O/o PCCF, Govt.of Jammu Kashmir, Forest Complex Exchange Road, Jammu 180 001.
58. T. Mohan Raj, ACF , O/o PCCF Govt.of Rajasthan, Dept of Forests, Van Bhavan, Jaipur 302 009.
59. Balaji Kari, ACF, O/o PCCF, Govt.of Rajasthan, Deptt of Forests, Van Bhavan Jaipur 302-009
60. Rajiv Dhiman, ACF, O/o PCCF, Govt. of Uttarakhand, Deptt of Forests, Dehradun
61. Sanjaya Kumar Swain , ACF, O/o PCCF, Govt. of Orissa,Dept of Forests 2nd and 3rd Floor Janpath, Saheed Ngar, Bhubanewshwar 751007
62. Gopinath R, ACF, South Forest Division, Tuglakabad, New Delhi ,O/o PCC , Govt. of NCT of Delhi, Uderhill Road, Delhi-6
63. C. Vidhyasgar, ACF, Mizoram, O/o PCCF, Govt.of Mizoram, Deptt of Forests Aizawl 796001
64. Manivasagan S, On probation (South Sarguja Division,), O/o PCCF, Govt.of Chattishgarh, Deptt. of Forests, Raipur
65. Ms. Banumathi G, ACF, O/o PCCF, Govt.of Tripura, Deptt of Forests P O Kunjvan, Agartala 799001.
66. Madhu V Raj, ACF, Hoshangabad (T), O/o PCCF, Govt.of Madhya Pradesh, Saipura Bhavan, Bhopal
67. V. Baskaran, Attached Office, Hazaribagh east Division, O/o PCCF, Govt. of Jharkhand, Deptt of Forests, Ranchi.
68. Ms. Yasodha K, ACF, Goa, Prl. CCF Office, D/o Forests Janta House, 3r d Floor,Panaji -303001
69. T. Karuppasamy, ACF, Chhotauddepur, Vadodara, O/O PCCF, Govt.of Gujarat, Deptt of Forests, Block No. 14, Jiwraj Bhai Mehta Bhavan Gandhingar, 382010
70. S. Prabhu , ACF, O/o PCCF, Govt.of Tripura, Deptt. Of Forests P O Kunjvan , Agartala 799-001
71. Kirupasankar M, on Probation, Attached to DFO, Dhramshala, O/o PCCF, Govt.of Himachal Pradesh Talland, Shimla 171002
72. Sudhanshu Sekhar Khora, ACF, O/o PCC, govt.of Orissa, Deptt. of Forest 2nd & 3 rd Floor, Janpath, Saheed Ngar, Bhubaneswar 751007

73. Arunlrajan P, ACF Mizoram , O/o PCCF, Govt.of Mizoram, Deptt of Forests Aizawal 796001.

74. Suratna Sur Shan Sherpa, ACF, O/o PCCF, Govt.of West Bengal, Forest Department, Writers, Bulding, Calcutta -7000-001

75. Dhram Singh Meena, ACF, O/O PCCF, Govt. of Uttrakahand, Deptt of Forests, Dehradun

76. Wahule Pradeepchandra P., Attached toDFO, Bomdilla , Arunachal Pradesh, O/o PCC, Deptt of Forets, Govt. of Arunchal Pradesh Itanagar 791101.

77. T. Aochuba, ACF, O/o PCC, Govt. of Nagland, Deptt of Forests, Kohima, 797001

78. Purushothama P., ACF, Junagadh, O/o PCCF, Govt. of Gujarat, Deptt of Forest, Block No. 14, , Jiwraj Bhai Mehta Bhavan Gandhinagar 38010

79. Nianamalai R, ACF (P) O/o PCCF, Govt. of Meghalaya Deptt of Forests &Environment, Sylvan House Lower Lackumierces, Shillong 793001

80. Shivanand S Talwar, ACF, O/o PCCF, Govt. of Tripura, Deptt. of Forests P O Kunjvan , Agartala 799001.

81. Arun Kumar R., ACF, O/o PCCF, Govt.of Tripura, Deptt. of Forests, P O Kunjvan, Agartala 799 001

82. Millo Tasser, ACF, Arunachal Pradesh, O/o PCCF, Deptt of Forests, Govt.of arunachal Pradesh Itanagar 791101.

.... Respondents

O R D E R (in circulation)

Justice L. Narasimha Reddy:

M.A. No.1790/2019

This Application is filed with a prayer to condone the delay of 240 days in filing R.A. No.139/2019.

R.A. No.139/2019

The applicant, an officer of Indian Forest Service (IFoS), filed O.A. No.4413/2011 challenging the cadre allocation. The O.A. was allowed through order dated 30.08.2018. Various measures were indicated in the context of allocation of cadre. The respondents implemented the same, which resulted in conferring the benefit on another officer, but not on the applicant. In the light of that, he filed this R.A.

2. The record discloses that the order passed in the O.A. was implemented, but the same resulted in conferring benefit on another officer. In case the applicant had any reservation or objection to the relief granted in the O.A., he ought to have filed review before the order was implemented or filed a writ petition. Delay of 240 days cannot be condoned in view of the fact that the order passed in the O.A. was already implemented by the respondents. The applicant was not vigilant.
3. We, therefore, dismiss the M.A. as well as R.A.

(Mohd. Jamshed)
Member (A)

/sunil/

(Justice L. Narasimha Reddy)
Chairman