

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

OA No. 2346/2014

This the 23rd day of October, 2019

Hon'ble Mr. S.N. Terdal, Member (J)
Hon'ble Mr. A.K. Bishnoi, Member (A)

Sh. Subhash Chand Jain
Age about 62 years,
S/o late Sh. V.C. Jain
R/o 29, Shri Nagar Colony
Delhi-110052.

... Applicant

(through Sh. S.K. Gupta)

Versus

1. The Commissioner
East Delhi Municipal Corporation
Erstwhile Municipal Corporation of Delhi
415, Udhog Bhawan, Parpaganj, Delhi.
2. The Commissioner
North Delhi Municipal Corporation
Erstwhile Municipal Corporation of Delhi
Dr. S.P.M. Civic Centre
Municipal Headquarter
J.L. Nehru Marg, New Delhi-110002.
3. Director(Local Bodies)
Govt. of NCT of Delhi
9th Level, C-Wing
Delhi Sachivalaya
IP Estate, New Delhi-110002.
4. Sh. Naurangi Lal
Executive Engineer (M-III)
Shahdara South Zone
East DelhiMunicipal Corporation
Shakarpur, School Block, Delhi-110092. ... Respondents

(through Sh. R. K. Shukla and Ms. Harvinder Oberoi with Sh. G.D. Chawla)

ORDER (Oral)

Hon'ble Mr. S.N. Terdal:

Heard Sh. S.K. Gupta, learned counsel for the applicant and Sh. R.K. Shukla and Ms. Harvinder Oberoi for the respondents.

2. The relief prayed for the in the OA is as follows:

“(i) quash and set aside the uncommunicated decision dated 13.02.2014 of Dy. Commissioner, Shahdara (South) as conveyed vide notings dated 17.02.2014;

(ii) direct the respondents to treat the period from 22.10.2009 upto 30.04.2012 as a period spent on duty as the applicant had physically worked and allow actual pay and allowances of the aforesaid period along with interest @ 12% per annum;

(iii) may also pass any further order(s), direction(s) as be deemed just and proper to meet the ends of justice.”

3. The relevant facts of the case are that the applicant was transferred from one division of the respondent organisation to another division. The allegation is that the applicant did not join the transferred place despite being allegedly relieved from the post. He continued to work on the post where he was earlier working. Subsequently, a show cause notice was issued to him on 06.11.2012 and within the time given to him, the applicant submitted his representation on 10.11.2012 as per Annexure Rej/1. However, no decision seems to have been taken on the said representation.

4. In view of the same, the respondents are directed to take a decision on the representation by passing a reasoned and speaking order, within two months from the date of receipt of a certified copy of this order. In case the

applicant seeks a personal hearing, he may be heard personally. The OA is accordingly disposed of. No costs.

(A.K. Bishnoi)
Member (A)

(S.N.Terdal)
Member (J)

/ns/