

**Central Administrative Tribunal
Madras Bench**

OA 310/00909/2019

Dated Wednesday the 17th day of July Two Thousand Nineteen

P R E S E N T

**Hon'ble Shri. P. Madhavan, Member (J)
&
Hon'ble Shri. T. Jacob, Member (A)**

M.Gabriel Deepak Bothan,
No.8/125C, 8th Street,
SRP Colony, Periyar Nagar,
Chennai -82.

... Applicant

By Advocate **M/s. M/s.G.Elanchezhian**

1. Union of India, rep., by
The Regional Director/Additional Commissioner,
Regional office, ESI Corporation, Sterling Road,
Nungambakkam, Chennai 34.

2.The Deputy Director (Admin),
ESIC Hospital, KK Nagar,
Chennai -78.

3.The Departmental Promotion Committee,
O/o.Medical Superintendent, ESIC Hospital,
KK Nagar, Chennai-78.

4.Mr.Venkatesh Kumar,
CSSD Technician,
ESIC Hospital,
KK Nagar, Chennai-78.

... Respondents

ORAL ORDER

Pronounced by Hon'ble Mr. P. Madhavan, Member(J)

The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To call for the records connected in No.51-A-12-15-4(DPC-Paramed) /Admn/2018, Office Order No.579(E) of 2018 dated 30.11.2018 and No.512A/12/16/1/Admn/2012/P.F.No.760, dated 12.02.2019 of the 2nd respondent and quash the same and direct the respondents 1 to 3 to consider the claims of the applicant for promotion to the post of CSSD Technician and promote the applicant as CSSD Technician on par with junior with all benefits and pass such other order (or) orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.”

2. When the matter came up for hearing, learned counsel for the applicant submit that eventhough he has given a representation to the respondents, the competent authority has issued a non speaking order as Annexure A8 and there is no mention regarding the reasons for rejection of his representation. He submits that the applicant will be satisfied if the competent authority passes a speaking order on the applicant's representation on the basis of the relevant rules and regulations on the matter within a specific period of time. The applicant is ready to submit a fresh representation showing all the details.

3. We have perused the order dt. 12.02.2019. It does not have any reasons stated for the order. So it is cryptic and cannot be accepted.

4. In view of the limited submission made, the applicant is directed to file a

fresh detailed representation to the competent authority within a period of one week and the competent authority will pass a detailed speaking order in accordance with law stating the reasons on which the applicant's case was rejected in the DPC within a period of three months thereafter.

5. OA is disposed of at the admission stage.

(T. Jacob)
Member(A)
AS

17.07.2019

(P. Madhavan)
Member (J)