

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.66/2019

Dated Friday, the 25th day of January, 2019

PRESENT

Hon'ble Mr.R.Ramanujam, Administrative Member

&

Hon'ble Mr.P.Madhavan, Judicial Member

Sowrirajan

Assistant Engineer

National Highways Division

Public Works Department

Puducherry.

...Applicant

By Advocate M/s J. Srinivasa Mohan

Vs.

1.Govt of Puducherry

By its Chief Secretary

Puducherry.

2. Public Works Department

Rep. by its Secretary (Works)

Puducherry.

3. Public Works Department

Rep. by its Chief Engineer

Puducherry.

4. Public Works Department

Rep. by its Officer on Special Duty

Puducherry.

...Respondents

[Order: Pronounced by Hon'ble Mr.R.Ramanujam, Member(A)]

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

“a. Direct the 3rd and 4th respondents to forward the name of the applicant to the Selection Panel for consideration, for filling up the vacancies of Executive Engineer in Public Works Department as current duty in-charge.

b. Pass such other suitable orders as deemed fit in the circumstances of the case.”

2. It is submitted that the applicant was subjected to a departmental enquiry at the end of which the Inquiry Officer held the charges as not proved. However, the disciplinary authority disagreed with the findings and issued notice to the applicant along with the reasons for disagreement. The applicant filed representation thereagainst which is still pending. In the mean time, the respondents are in the process of making adhoc promotions to the level of Executive Engineer and are likely to promote the juniors of the applicant on the ground of pending departmental proceedings, it is apprehended.

3. The applicant made Annexure A-3 & 4 representations dated 29.05.2018 and 18.12.2018 regarding his grievance to the competent authority which had not been responded to till date. Accordingly, it is submitted that the applicant would be satisfied if the competent authority is directed to consider the representations and pass appropriate orders in accordance with law within a time limit to be set by this Tribunal.

4. Keeping in view the limited relief sought and without going into the substantive merits of the case, as it is submitted that the applicant's juniors are likely to be promoted shortly even if on adhoc basis only and it is also submitted that the charges against the applicant had not been proved in the departmental enquiry, we deem it appropriate to direct the respondents to consider Annexure A-3 & 4 representations of the applicant dated 29.05.2018 and 18.12.2018 in accordance with law and pass a reasoned and speaking order within a period of three weeks from the date of receipt of a copy of this order.

5. OA is disposed of with the above directions.

(P.MADHAVAN)
MEMBER(J)

25.01.2019

(R.RAMANUJAM)
MEMBER (A)

M.T.