

O.A. 350/987/2019

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A/350/ OF 2019

MES 194035 Shri Goutam Roy IDSE son of

late Bhakta Pada Roy, aged about 58 years,

presently posted at HQ CE Eastern

Command as Jt. DG (Pers & Trg), Engrs

Branch Pin - 908542 C/o 99 APO Station

Kolkata and residing at LIC Officers' Co-

Op. Housing Society, 129/44, S. N. Roy

Road, Kolkata - 700038, PS - Behala, W.B.

... Applicant

- Versus -

1. Union of India service through the Secretary Ministry of Defence, South Block, New Delhi - 110011.
2. Engineer-in-Chief, IHQ, Ministry of Defence (Army), Rajaji Marg, Kashmir House, New Delhi - 110011.

3. Director General (Pers), IHQ, Ministry of Defence (Army), Rajaji Marg, Kashmir House, New Delhi - 110011.

4. Additional Director General (Pers), IHQ, Ministry of Defence (Army), Rajaji Marg, Kashmir House, New Delhi - 110011.

5. Chief Engineer HQCE Eastern Command, Fort William, Kolkata - 700027.

... Respondents

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

O.A/350/987/2019

Date of Order: 22.07.2019

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

GOUTAM ROY
VS.
UNION OF INDIA & OTHERS
(M/O DEFENCE)

For the applicant : Mr. J.R. Das, counsel

For the respondents : None

ORDER

Bidisha Banerjee, Member (J):

Heard Mr. J.R. Das, Id. counsel for the applicant. None appears for the respondents.

2. The applicant has preferred this O.A to seek the following reliefs:-

"i) An order directing the respondents to cancel, rescind withdraw or set aside the purported order/letter dated 23.5.2019 and 29.5.2019 respectively since denying the CE(Zone) posting to the applicant without due consideration and without due application of mind to the fact that the juniors of the applicant have already been allowed with such posting and the applicant cannot be left out.

ii) An order directing the respondents to further review those APARs that scored 7.64 or above to be enhanced to 8.0 or more since been intentionally/whimsically awarded lower than 8.0 to deprive the applicant of his due posting as Chief Engineer(Executive)/CE(Zone), in the interest of justice;

iii) An order superseding those adverse orders/letters and allows the applicant his due posting as Chief Engineer(Executive)-CE(Zone) on immediate basis from the date at par with his juniors;

iv) An order directing the respondents to dispose of the representations made by the applicant being dated 22.5.2019 as also 18.6.2019 in a time bound manner;

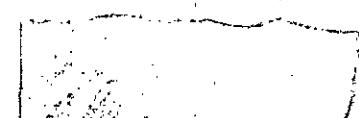
v) An order directing the respondents to submit all the relevant records of the case before the Hon'ble Bench with copy to the Ld. Advocate for the applicant for conscientable justice;

vi) Any other order or further order/orders as to this Hon'ble Tribunal may seem fit and proper."

3. At hearing, Id. counsel for the applicant would submit that he has filed several representations to the authorities ventilating his grievances therein but his prayer has not yet been considered. He would further submit that he would be satisfied if a direction was issued to the Respondent No. 1 i.e. the Secretary, Ministry of Defence, South Block, New Delhi-110011 to consider and dispose of the last representation of the applicant dated 18.06.2019 in accordance with law within a time frame.

4. Accordingly, without entering into the merits of the matter, we dispose of the O.A with a direction that the Respondent No. 1 or any other competent authority shall consider the representation of the applicant dated 18.06.2019 and dispose it of in accordance with law within a period of 3 months from the date of receipt of a copy of this order. No costs.


(Dr.Nandita Chatterjee)
Member (A)


(Bidisha Banerjee)
Member (J)