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Central Administrative Tribunal, Principal Bench

Original Application No.3128 of 2003

New Delhi, this the 13th day of February, 2004

Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. S.K. Naik, Member(A)

Shri R.P. Prashar,
S/o Shri R.D. Sharma
R/o D-879, Netaji Nagar,
New Delhi-23
(Group B Gazetted)

....Applicant

(By Advocate: Shri Ashwini Bhardwaj)

Versus

1. Government of N.C.T. of Delhi,
Through the Lt. Governor,
Raj Niwas
Delhi
2. Government of N.C.T. of Delhi,
Through the Chief Secretary,
Govt. of NCT of Delhi,
Secretariat, Near Indira Gandhi Stadium,
I.P. Estate, New Delhi
3. The Director,
Directorate of Family Welfare,
Government of N.C.T. of Delhi
Malka Ganj, Delhi-7

....Respondents

(By Advocate: Ms. Rashmi Chopra)

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

Learned counsel for the applicant states that so far as relief for quashing of order of 26.12.2003 is concerned, he may be permitted to withdraw the present application because multifarious reliefs are being claimed. He seeks permission to file a fresh petition, if so advised.

2. Allowed as prayed. Subject to aforesaid, qua relief claimed in paragraph 8a), the petition is dismissed.

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3. The applicant's claim is that the sealed cover should be directed to be opened and he, if recommended, may be promoted.

4. The facts are not in controversy and therefore, can conveniently be delineated. The applicant was a Statistical Assistant. His case had been sent for consideration. At that time, there was a penalty order that had been passed dated 30.10.2002. Keeping in view the same, it appears that the case of the applicant was kept in the sealed cover because he seemingly even had filed O.A.1804/2003. It is not in dispute that the said penalty order has since been quashed by this Tribunal on 11.11.2003, referred to above. Once the same has been quashed, it is directed that the sealed cover of the applicant may be opened and his claim dealt with in accordance with law preferably within two months from today. O.A. is disposed of.

Naik
(S.K. Naik)
Member (A)

Aggarwal
(V.S. Aggarwal)
Chairman

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