

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00989/2019

Jabalpur, this Thursday, the 31st day of October, 2019

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER

1. Prabhat Mishra, S/o Shri R.P. Mishra Aged about 53 years
Conservator of Forest, Working Plan Durg Chhattisgarh 491001
2. K.R. Barhai, S/o Shri Rai Singh Barhai Aged about 53 years ,
Divisional Forest Officer (D.F.O.) Durg Chhattisgarh 491001

-Applicants

(By Advocate –**Shri S. Ganguly**)

V e r s u s

1. Union of India, Through its Secretary, Ministry of Forest &
Environment New Delhi 110001
2. State of Chhattisgarh, Through its Principal Secretary/Secretary
Department of Forest Mantralaya Mahanadi Bhawan, Atal Nagar
Raipur Chhattisgarh 492101
3. Principal Chief Conservator of Forest, State of Chhattisgarh
Aranya Bhawan, Atal Nagar Raipur (C.G.) 492101
4. Union Public Service Commission Dholpura House, Shahjahan
Road New Delhi 110069
5. Shri Rajesh Chandele Divisional Forest Officer (D.F.O.) Korea,
Chhattisgarh 497559

-Respondents

(By Advocate –**Shri Ajay Ojha for respondents Nos.2 and 3**)

ORDER (Oral)

Precisely the case of the applicants is that applicant No.1 and 2 were allotted IFS in the year 2006-2007 respectively. The applicants were initially appointed as Assistant Conservator of Forest on 17.05.1991 whereas one Shri Rajesh Chande (respondent No.5) who was a waiting list candidate of 1989 vacancies was appointed on 01.07.1991. But in the seniority list the respondent No.5 was shown senior to the applicants and he was awarded IFS in the 2008 year D.P.C. and was given the year of allotment as 2003 batch. Ultimately the Hon'ble High Court of Madhya Pradesh has settled this issue vide Writ Petition No.15577/2014 decided on 31.08.2018 as per which applicants have been placed above the respondent No.5. After that the applicant had filed O.A. No.200/269/2019 before this Tribunal which was disposed of vide order dated 28.03.2019 (Annexure A/1) in pursuance to our order the respondent department has issued order dated 13.09.2019 (Annexure A/3) and both the applicants were granted seniority above respondent No.5. The applicants have submitted representation dated 27.09.2019 regarding grant of consequential benefits in view of Annexure A/3 for induction of IFS over and above respondent No.5.

2. Learned counsel for the applicant submits that the applicants would be satisfied if the respondents are directed to decide their representation dated 27.09.2019 (Annexure A/4) in a time bound manner.
3. The submission of the learned counsel for the applicants is genuine especially when the representation is pending before the respondents especially in view of the Annexure A/3 benefits have been given to the applicants. So, in the interest of justice I feel that this is a fit case where the respondents may be directed to decide the representation of the applicant.
4. Resultantly respondents are directed to decide the representation dated 27.09.2019 (Annexure A/4) for granting consequential benefits in pursuance to Annexure A/3, within a period of 90 days on receiving the copy of this order. A liberty of personal hearing may also be given to the applicant.
5. Needless to say that this Tribunal has not touched the merit of the case.
6. Accordingly, O.A. is disposed in above directions at the admission stage itself.

(Ramesh Singh Thakur)
Judicial Member

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