

**Central Administrative Tribunal
Jaipur Bench, Jaipur**

O.A. No. 604/2011

Date of decision: 18.10.2019

**Hon'ble Mr. Suresh Kumar Monga, Member (J)
Hon'ble Mr. A. Mukhopadhyaya, Member (A)**

Shri Yogendra Upadhayay S/o Shri D.B.Sharma, aged about 54 years, R/o 213, Subhash Road, Near Chief Post Office, Chandausi, Moradabad U.P.), lastly posted as Inspector in the office of the Dy. Narcotics Commissioner, Kota.

...Applicant.

(By Advocate: Shri P.P.Mathur)

Versus

1. Union of India through the Secretary, Ministry of Finance, Department of Revenue, Government of India, North Block, New Delhi.
2. The Narcotics Commissioner, Central Bureau of Narcotics, 19, the Mall, Morar, Gwalior-474006.
3. The Deputy Narcotics Commissioner, Central Bureau of Narcotics, B-40, Mandir Marg Mahanagar, Lucknow (UP).
4. The Deputy Narcotics Commissioner, Central Bureau of Narcotics, Jhalawar Road Mahavir Nagar, I Kota (Raj.)

...Respondents.

(By Advocate: Shri Rajendra Vaish)

ORDER (ORAL)

Per: Suresh Kumar Monga, Member (J):

At the very outset, Shri P.P.Mathur, learned counsel for the applicant stated that during pendency of the Original Application, the applicant got issued a legal notice dated 19.09.2019 (Annexure MA/5) to the respondents stating therein that the charges against the similarly situated delinquent officials have already been dropped and, therefore, he also deserves to be exonerated. Learned

(2)

counsel further stated that the applicant would be satisfied, if a direction is issued to the respondents to take a decision over the said legal notice within a time frame.

2. Keeping in view the aforesaid limited prayer of learned counsel for the applicant, we deem it appropriate to dispose of the present Original Application with a direction to respondents to treat the applicant's legal notice dated 19.09.2019 (Annexure MA/5) as his representation and pass a reasoned and speaking order while keeping in view the judgments rendered by the Allahabad Bench of this Tribunal in OA No.1310/2011 along with connected OAs decided on 10.08.2015 (Annexure MA/1), Review Application No.330/00047/2015 decided on 15.10.2015 (Annexure MA/2) and the judgment (Annexure MA/3) rendered by the Hon'ble High Court of Allahabad. Before taking such a decision, the applicant shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of two weeks from the date of receipt of a certified copy of this order.

3. Ordered accordingly. No order as to costs.

(A.Mukhopadhyaya)
Member (A)

(Suresh Kumar Monga)
Member (J)

/kdr/