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CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION No.210/00773/2019

Dated this Monday, the 09th day of December, 2019

CORAM: R.VIJAYKUMAR, MEMBER (A)

Dr. (Mrs). Priya Srinivasan, Age 45 yrs.,
(W/o Shri P.Srinivasan) employed as Scientific Officer – D,
Bhabha Atomic Research Centre, Trombay, Mumbai 400 085.
R/at-C-7, Sarang, Anushaktinagar, Trombay,
Mumbai 400 094.

.. ***Applicant***

***(By Advocates Ms. Linet Jadhav and Mrs. O.S.Nadar
proxy counsel for Ms. Annie Nadar)***

VERSUS

1. The Union of India Through the Secretary,
Bhabha Atomic Research Centre, Trombay, Mumbai 400 085.

2. The Director, Bhabha Atomic Research Centre,
Trombay, Mumbai 400 085.

3. The Controller, Bhabha Atomic Research Centre,
Trombay, Mumbai 400 085.

4. The Chief Administrative Officer,
Bhabha Atomic Research Centre, Trombay,
Mumbai 400 085.

... ***Respondents***

ORDER (Oral)

Heard the learned proxy counsel for the
applicant.

2. The learned counsel for the applicant
has submitted a letter dated 05.12.2019
stating that she had seen that the matter is
listed on 09.12.2019 but she was not available
on 9-10 December, 2019 and proxy counsel Ms.
Linet Jadhav appeared today on her behalf. It
is noted in this case that after the

application was filed on 22.10.2019, the learned counsel appeared before the Bench on 14.11.2019 and requested in writing, circulation on Wednesday, 20.11.2019. However, it was not listed on that day since Registry has noted on 14.11.2019, that six months time had not elapsed from the date of said representation on 15.06.2019. The learned counsel for the applicant again mentioned the matter before the Bench on 20.11.2019 without contesting the objection raised by the Registry and this was put up before HOD on the same day and it was directed to be listed before the Bench for orders. When the Registry received the papers back on 22.11.2019 they consulted the counsel who again requested the matter to be listed on Wednesday, 04.12.2019. The matter was then placed before HOD who instructed that admission matters cannot be delayed and it is for the Bench to decide how to dispose of this matter expeditiously in the interests of justice. It was also noted that specific dates cannot be chosen by the counsel which may be interpreted as bench-hunting and will have serious impacts on the credibility of this Tribunal and may also attract the issue

of contempt. The HOD accordingly directed for placing the matter before the Bench on 09.12.2019.

3. Today when the case is called, proxy counsel appeared and she was inquired on the nature of the OA No.677/2019 pending on the same issue namely on the lower graded APAR awarded to the applicant. The present OA proceeds further by enclosing what is described as a representation on the aspect of promotion as Scientific Officer Grade E. In the absence of details regarding the other OA No.677/2019 we cannot make any comments on whether the present issue involved in this OA is also challenged therein unless as a consequential benefit.

4. The learned proxy counsel for the applicant was consulted on the issue and she says that she has no instructions on OA No.677/2019 and she also insists that the arguing counsel is busy with some other appointment but she is fully informed about the matter. With regard to the Annexure A-2, she says that this is a representation for seeking information on a Screening Committee meeting which considered various promotions to SO Grade E.

5. Perusal of the letter dated 15.06.2019 at Annexure A-2 which is described by the applicant as a representation, shows that it is only a letter seeking information from the respondents on the details of the Screening Committee. There is no clarity on whether she has objected to the decision of the Screening Committee and for the basis for her objection which could be decided and replied by the respondents and which, thereafter, could be adjudicated by this Tribunal. There is clearly no cause of action in this Application.

6. In the circumstances, this OA is not maintainable and is accordingly, dismissed. We do not wish to impose any costs.

(R. Vijaykumar)
Member (Administrative)

kmg*

JD
10/12/19