

Rakesh Kumar Vs. Union of India Through General Manager, New Delhi and Others

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Court : Central Administrative Tribunal CAT Delhi

Decided On : Nov-01-2011

Judge : The Honourable Dr. Dharam Paul Sharma, Judicial Member

Appeal No. : OA No. 267 of 2011

Appellant : Rakesh Kumar

Respondent : Union of India Through General Manager, New Delhi and Others

Advocate for Pet/Ap. : For the Applicants: Ms. Meenu Mainee for Shri R.K. Shukla, Advocates. For the Respondents: None for the respondents even on revised call.

Judgement :

(Oral)

1. In this case notice to the respondents was issued on 18.1.2011. Thereafter this case was listed on four occasions to enable the respondents to file their counter reply. Till date reply has not been filed by the respondents. Today nobody has chosen to appear on behalf of the respondents even on revised call. I proceed to dispose of this Application under Rule 16 of the CAT (Procedure) Rules, 1987.

2. By filing this Application under Section 19 of the Administrative Tribunals Act, 1985, the applicants are seeking directions to the respondents to consider the case of applicant No.1 for the grant of compassionate appointment and further to release retiral/terminal benefits to the applicants no.1 and 2. The applicants have filed representation in this regard to the respondents on 16.1.2009. However, till date no decision on the same has been communicated to the applicants.

3. At the hearing, Ms. Meenu Mainee, learned counsel appearing for applicants submits that the applicants would be satisfied if, in the first instance, the respondents are directed to consider and decide the applicants' representation dated 16.1.2009, as at Annexure A-1 within the fixed time frame. She also requests that the present Application may also be treated as a supplementary representation of the applicant.

4. In view of the limited prayer of the applicants, as mentioned above, I feel it appropriate to dispose of this Application at this stage with the directions to the respondents to consider and decide the applicants' representations as referred to above, and also treat the present Original Application as a supplementary representation, by passing a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. Ordered accordingly.

5. In the aforesaid premises, it has not been necessary for me to go into the merits of the applicant's claim. Nor the aforesaid directions are intended to operate to the prejudice to the respondents in any manner whatsoever. The respondents shall be free to take such decision as they deem appropriate in accordance with the applicable rules.

6. This Application is disposed of in the above terms.

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