

(2020) 07 CAT CK 0021

In the Central Administrative Tribunal

Case No : Original Application No. 100, 901 Of 2020

B.V. Somayajulu

APPELLANT

Vs

Govt. Of N.C.T.D & Others

RESPONDENT

Date of Decision : 17-07-2020

Acts Referred:

Citation : (2020) 07 CAT CK 0021

Hon'ble Judges : L. Narasimha Reddy, J; Mohd. Jamshed, Member (A)

Bench : Division Bench

Advocate : C. Rajaram, Esha Mazumdar

Final Decision : Disposed Of

Judgement

L Narasimha Reddy, J

1. The applicant was working as Senior Accounts Officer in the Directorate of Audit, Government of NCT of Delhi. Vide order dated 04.12.2019, the appointing authority retired the applicant in exercise of power under clause (j) of Rule 56 of the Fundamental Rules. This OA is filed challenging the order of compulsory retirement.

2. The applicant contends that his record, throughout his service was clean and without any blemish, and the impugned order was passed in an arbitrary manner. It is also stated that the applicant availed the remedy of review against the impugned order by filing a representation dated 16.12.2019 and he complains that no action has been taken thereafter.

3. We heard Sh. C. Rajaram, learned counsel for the applicant and Ms. Esha Mazumdar, learned counsel for the respondents.

4. The Government of NCT of Delhi retired the applicant through the order dated 04.12.019 by invoking the powers under clause (j) of the Rule 56 of the Fundamental Rules. Though the applicant raised several contentions in his challenge to the said impugned order, we do not propose to deal with the same

at this stage. The reason is that he has already availed the remedy of review and he has to wait, till the same is disposed of. Though it cannot be said that there was undue delay on the part of the respondents in disposing the review, particularly, having regard to the disturbance which the entire humanity is facing. We are of the view that the concerned authority needs to pass orders on the review in a specified time.

5. We, therefore, dispose of the OA directing the 1st respondents to pass orders on the review submitted by the applicant, vis-a-vis, the order of compulsory retirement dated 04.12.2019 within a period of two months from the date of receipt of a copy of this order.

6. The OA is accordingly disposed of. There shall be no order as to costs.