
(2020) 10 CAT CK 0162

In the Central Administrative Tribunal

Case No : Original Application No. 1633 Of 2020

Deep Chand, AE (NQA)

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 28-10-2020

Acts Referred:

Citation : (2020) 10 CAT CK 0162

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

Bench : Division Bench

Advocate : M.D. Jangra, G.S. Virk

Final Decision : Dismissed

Judgement

L. Narasimha Reddy, J

1. The applicant joined the service of Ministry of Defence, Department of Defence Production, Director General of Quality Assurance (DGQA), 2nd

respondent herein, in the year 1989 as Technical Assistant-H. Thereafter, he was promoted to the post of Assistant Engineer in the year 2019. He

was compulsorily retired. The same is challenged in O.A. No.741/2020, which is still pending. This O.A. is filed with a prayer to declare his APAR of

2018-19 as illegal and to ignore the same, including the adverse remarks on the ground that it was not communicated to him. The applicant made

several representations with a request to furnish him the APARs of the year 2018-19. That was rejected by the respondents through order dated

19.03.2020. Hence this OA.

We heard Sh.M.D., langrd, learned counsel for the applicant and Sh.G.S.Virk, learned counsel for the respondents.

2. Though the applicant pleaded that the AFAR of 2018-19 was not

communicated to him, termed to be false. In O.A. itself, there is a receipt signed by the applicant. Apart from that, the respondents stated in the order dated 19.03.2020 as under:

1. Refer to your representation forwarded to DQA (N) vide this office letter No.QAE (WP/WE)/KO/Persona1/024 dated 15 Jan 20.

2. Reply to the representation has been received from DQA (N) vide a P&C letter to the undersigned. As directed vide the letter, the following is

hereby communicated to you:

(a) This is regarding your representation against adverse assessment / entries made in your AFAR for the period 2018-19.

(b) The representation had been forwarded to DQA (WP) for appropriate disposal. A copy of the 'remarks' of DQA (WP) as forwarded by DQA

(N) is attached herewith as enclosure.

(c) Based on the above 'remarks', DQA (N) has disposed off your representation.

3. It is requested that receipt of this letter be acknowledged.

3. Once the AFAR was received by him vide receipt dated 17.12.2019, it is just un-understandable as to how the applicant can state that it is un-

communicated APAR. It is unfortunate that the person holding the post

of Assistant Engineer did not even hesitate to make a false statement.

4. We do not find any merit in this O.A. It is accordingly dismissed. There shall be no order as to costs.