
(2020) 12 CAT CK 0076
In the Central Administrative Tribunal
Case No : Original Application 2103 Of 2020

Satya Prakash	Vs	APPELLANT
Govt. Of NCT & Others		RESPONDENT

Date of Decision : 18-12-2020

Acts Referred:

Administrative Tribunals Act, 1985 — Section 19

Citation : (2020) 12 CAT CK 0076

Hon'ble Judges : A. K. Bishnoi, Member (A); R.N. Singh, J

Bench : Division Bench

Advocate : Anmol Pandita, Esha Mazumdar

Final Decision : Disposed Of

Judgement

R.N. Singh, Member (J)

1. The applicant has approached this Tribunal by way of present OA filed under Section 19 of the Administrative Tribunals Act, 1985 praying therein

for the following reliefs:-

(i) Quash and set aside order dated 03.09.2020.

(ii) Direct the respondents to consider applicants suspension period w.e.f. 22.09.1995 to 29.09.2008 and 30.09.2008 to 02.05.2011 to be treated as spent on duty.

(iii) direct the respondents to grant arrears alongwith all the consequential benefits just like similarly situated employee.

(iv) Any other relief which this Honâ??ble court deems fit and proper may also be awarded to the applicant.

2. Learned counsel for the applicant submits that vide impugned order dated 3.9.2020, the respondents have decided the period w.e.f. 30.9.2008 to

2.5.2011 as unauthorized absence as per the provision of FR 17A. However, the respondents have not said anything about the period w.e.f. 22.9.1995 to 29.9.2008.

3. We have perused the pleadings on record including the reply/ representation preferred by the applicant with regard to his claim referred to herein above.

4. At this stage, learned counsel for the applicant submits that the present OA may be disposed of with liberty to the applicant to prefer a comprehensive representation regarding the issue raised in the present OA before the competent authority within two weeks from today and on receipt of such comprehensive representation, the respondents be directed to consider and to dispose of the same by passing a reasoned and speaking order.

5. In the facts and circumstances, we are of the considered view that if such request of the learned counsel for the applicant is acceded to, no prejudice is likely to be caused to the respondents.

6. In view of the aforesaid, the present OA is disposed of with liberty to the applicant to make a comprehensive representation within two weeks from the the date of receipt of a copy of this Order to the competent authority and if such comprehensive representation is received within the time stipulated hereinabove, the competent authority of the respondents shall consider and dispose of the same by passing a reasoned and speaking order within 10 weeks of receipt of such comprehensive representation.

7. The OA is disposed of in above terms. No costs.