

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-2795/2002

New Delhi this the 15th day of November, 2002.

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Hon'ble Dr. A. Vedavalli, Member(J)

Sh. Baijnath Mandal,
S/o Sh. Raman Mandal,
Presently residing
SC 4/B Basant Lane,
Near Karnail Singh Stadium,
New Delhi. Applicant

(through Ms. Meenu Maine, proxy for Sh. B.S. Maine, Advocate)

Versus

1. Union of India through
the General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Divl. Railway Manager,
Northern Railway,
Ambala Cantt.
3. The Chairman,
Railway Recruitment Board,
Chandigarh.
4. The Asstt. Secretary,
Railway Recruitment Board,
Chandigarh. Respondents

ORDER (ORAL)

The applicant Baijnath Mandal is aggrieved by the impugned order dated 30.04.2002 whereby his services were terminated for the reasons mentioned therein.

2. Learned proxy counsel for applicant's counsel submits that the applicant has submitted a representation dated 17.05.2002 seeking reinstatement in service vide Annexure A-5 and that there is no response



(A)

or reply from the respondents as on date. The applicant seeks the following reliefs:-

"(i) That this honourable Tribunal may be pleased to allow this application and quash the impugned order.

(ii) That this honourable Tribunal may be further pleased to direct the respondents to reinstate the applicant with all consequential benefits including back wages.

(iii) That any other or further relief which this honourable Tribunal may be deem fit and proper under the circumstances of the case may also be granted in favour of the applicant.

(iv) That the cost of the proceedings may also be awarded in favour of the applicant."

3. In the facts and circumstances of the case and after hearing the learned counsel for applicant and on perusal of all the material papers and documents placed on record, I am of the view that ends of justice will adequately be met by disposing of this application at the admission stage itself with the following directions to the respondents:-

The respondents are directed to examine the aforesaid representation dated 17.05.2002 (Annexure A-5) submitted by the applicant as well as the grounds raised by the applicant in the present O.A. as additional grounds on their merits in the light of the relevant rules, instructions and judicial pronouncements on the subject

(AN)

(S)

and dispose of the same by a detailed and speaking order in accordance with law under intimation to the applicant within two months from the date of receipt of a copy of this order.

4. In case any grievance survives further thereafter the applicant is given liberty to approach the Tribunal in fresh original proceedings, if so advised, in accordance with law.

5. The O.A. is disposed of as above.

6. Registry is directed to send a copy of the O.A. alongwith a copy of this order to the respondents.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)

/vv/