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CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, NEW DELHI.

OA-819/2002

New Delhi this the 11th day of February, 2003.

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

Smt. Malti Devi,  
Wd/o Lt. Sh. Jai Narain  
working as Office Khalasi  
in the Office of AEN/Hort.  
Northern Railway, Delhi  
Division, New Delhi. .... Applicant

(through Sh. Yogesh Sharma, Advocate)

Versus

1. Union of India through  
the General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.
2. The Division Railway Manager,  
Northern Railway Delhi Division,  
New Delhi Railway Station,  
New Delhi.
3. The D.E.N. (Hort.)  
Northern Railway,  
Delhi Division,  
DRM's Officer, Near  
New Delhi Railway Station,  
New Delhi. .... Respondents

(through Sh. D.S. Jagotra, Advocate)

ORDER (ORAL)

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

Heard the learned counsel for both the  
parties.

2. The applicant Malti Devi who was initially appointed as Mali Khalasi on 10.02.1997 on compassionate grounds wants a change of category from the post of Mali Khalasi to the post of Office Khalasi.

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3. The applicant seeks the following reliefs:-

- "(i) That the OA of the applicant may be allowed with the costs of litigation.
- (ii) That the Hon'ble may graciously be pleased to pass an order directing the respondent to pass a necessary order for posting of the applicant to the post of office Khallasi, from the date from which the applicant is working as Office Khallasi i.e. 1999 with all the consequential benefits, like seniority etc.
- (iii) That the Hon'ble Tribunal may graciously be pleased to pass an order of quashing of any order, passed by the respondents rejecting the request of the applicant if any, as till date the applicant has not been received any order from the office of the respondents.
- (iv) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to applicant."

4. When the matter came up for admission today, learned counsel for applicant submitted that the applicant has given several representations, namely, 3.9.1998 (Annexure A-3), dated 2.6.1999 (Annexure A-2) and dated 12.10.2001 (Annexure A-1) to the respondents. It is also submitted that till date there is no reply or response from the respondents to the said representations.

5. Learned counsel for applicant further submits that the OA may be disposed of at the

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admission stage with the direction to the respondents to dispose of the same within a particular time frame fixed by the Court and with liberty to approach this Tribunal again if any grievance further survives thereafter.

6. Learned counsel for respondents also confirms the position regarding the pendency of the aforesaid representations and he has no objection for the matter being disposed of as prayed for by the applicant's counsel.

7. On a consideration of the matter, OA is disposed of at the admission stage itself with the following directions:-

(a) Respondents are directed to consider the aforesaid representations submitted by the applicant treating the grounds taken by the applicant in the present OA also as additional grounds on their merits i in the light of the relevant rules, instructions and judicial pronouncements on the subject and dispose of the same with a detailed and reasoned order in accordance with law within two months from the



date of receipt of a copy of this order under intimation to the applicant.

(b) Applicant is granted liberty to approach this Tribunal again in appropriate fresh original proceedings, if so advised, in accordance with law.

8. OA is disposed of as above. No costs.

A. Vedavalli

(Dr. A. Vedavalli)  
Member(J)

/vv/