

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

COURT NO. : 1

15/01/2020

O.A./260/830/2019

SUDHAKAR GURU
-V/S-
M/O RAILWAYS

ITEM NO:7

FOR APPLICANTS(S) Adv. : Mr. B. Dash

FOR RESPONDENTS(S) Adv.: Mr. T. Rath

Notes of The Registry	Order of The Tribunal
	<p>Heard Ld. Counsels for the applicant and Mr. T. Rath, Ld. Counsel who appeared on behalf of respondents in this case. Registry is directed to reflect the name of Mr. T. Rath as the counsel for the respondents, in future cause list.</p> <p>It is submitted by Ld. Counsel for the applicant that the applicant is a person affected by the land acquisition for construction at Khurda Road-Bolangir Railway link, for which he will be entitled for consideration of his case for an employment vide RBE No. 99/2010(Annexure-A/2). He further submits that the applicant's father had received the compensation for acquisition of land and that the applicant has filed a representation dated 22.11.2019(Annexure-A/3) before the Respondent No.2/competent authority for consideration of his case for employment as per the RBE No. 99/2010, which is pending. He further submitted that his grievances will be addressed for the present if the OA is disposed of at this stage giving a direction to the respondents to consider his case as per the rules applicable.</p>

Mr. T. Rath, Ld. Counsel for the respondents submitted that from the Annexure-A/1, the acquisition of the land was made in the year 2003 and the scheme in question was announced as per the letter dated 16.07.2010 vide RBE No. 99/2010(Annexure-A/2) which is applicable prospectively. He also raised the issue of delay since although the scheme was placed as per the RBE No. 99/2010, the representation at Annexure-A/3 has been filed by the applicant in the year 2019.

Taking into account the submissions made by Ld. Counsels for both the parties as above and without expressing any opinion on merit of the case including the issue of delay, if any, the OA is disposed of at this stage with a direction to the respondent No.2/competent authority to consider and dispose of the representation dated 22.11.2019 (Annexure-A/3) filed by the applicant as per the provisions of law, by passing a speaking and reasoned order to be communicated to the applicant within a period of two months from the date of receipt of a copy of this order.

Applicant will have the liberty to send a copy this order along with circulars and judgments/citations in his favour to the Competent Authority within 15 days for consideration of his representation as stated above.

The OA stands disposed of accordingly with no order as to costs. Free copy of this order be given to Ld. Counsels for both the sides.

(GOKUL CHANDRA PATI)
MEMBER (A)

pms