

CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR

REVIEW APPLICATION NO. 291/17/2019
in
(ORIGINAL APPLICATION NO. 291/190/2018)

Date of Order: 19.12.2019

HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER
HON'BLE MR. A. MUKHOPADHAYA, ADMINISTRATIVE MEMBER

Kamal Singh Gurjar son of Shri Jamna Lal Gurjar, aged about 28 years, resident of Village Rani Ka Bass, Tehsil Baswa, District Dausa, Rajasthan, terminated from the post of Track Man, Gang No. 9, under SSE (PW-1, Bandikui, District Dausa).

.. Applicant

Versus

1. General Manager, North Western Railway, Near Jaipur Railway Station, Jaipur PIN 302006.
2. Assistant Divisional Engineer, North West Railway, Bandikui, District Dausa (Raj) PIN 303313.

... Review Applicants/ Respondents

(Presented by Mr. M.K. Meena, Advocate)

ORDER (By Circulation)

Per: SURESH KUMAR MONGA, JUDICIAL MEMBER

The present Review Application has been filed by the respondents for recalling / modification of the order dated 16.09.2019 passed by this Tribunal in OA No. 291/190/2018 (Kamal Singh Gurjar vs. General Manager, North Western Railway and Anr.).

2. From perusal of the record, it appears that before filing the Original Application, the original applicant submitted a representation dated 04.12.2017 addressed to the General Manager, North Western Railway, Jaipur and the Asstt. Divisional

Manager, North Western Railway, Bandikui, District Dausa. The competent authority was under an obligation to take a decision over the said representation within a reasonable time. However, the said authority could not decide the same even after lapse of a period of more than four months and as such the original applicant had no option but to file the Original Application before this Tribunal.

3. Since the competent authority failed to discharge its duty, therefore, vide order dated 16.09.2019, it was considered appropriate by this Tribunal to issue a direction to General Manager, North Western Railway, Jaipur to take a decision over the applicant's pending representation dated 04.12.2017 and pass a reasoned and speaking order in accordance with law while keeping in view the principles laid down by the Hon'ble Supreme Court in **Avtar Singh vs. Union of India & Ors.**, (2016) 8 SCC 471 and the order dated 06.03.2018 passed by the Hon'ble High Court of Rajasthan at Jodhpur in **Ram Charan Nayak vs. Ajmer Vidhyut Vitran Nigam Limited & Ors.** (S.B. Civil Writ Petition No. 8190/2017).

4. We do not find any error apparent on the face of record warranting review of the order dated 16.09.2019 and, therefore, the Review Application is hereby dismissed in circulation.

(A. MUKHOPADHAYA)
ADMINISTRATIVE MEMBER

(SURESH KUMAR MONGA)
JUDICIAL MEMBER