

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORIGINAL APPLICATION No. 32/2020

Date of order: 21.01.2020

Coram:

Hon'ble Mr. Suresh Kumar Monga, Judicial Member

1. Smt. Manisha W/o Mahendra Singh Shekhawat, D/o Yatishchand Sharma, aged 42 years, R/o Gangauri Bazar, Phulera, Police Station Phulera, District Jaipur (Rajasthan) Mob No.9950444565 Group-A.
2. Vicky @ Abhishek S/o Mahendra Singh Shekhawat, aged about 23 years, R/o Gangauri Bazar, Phulera, Police Station Phulera, District Jaipur (Rajasthan).

.....Applicants

(By Adv.: Shri Dharmendra Joshi)

VERSUS

1. Union of India through General Manager, North Western Railway, H.Q's Office, Near Jawahar Circle, Jagatpura, Jaipur-302018.
2. Divisional Railway Manager (DRM), RTI Cell, Power House Road, Opposite Railway Station, Jaipur-302006.
3. Mahendra Singh Shekhawat S/o Shri Pabudan by caste Rajput, R/o Assistant Station Master, North Western Railway, Phulera at present posted D.R.M. Office, RTI Department, Western Railway, Jaipur, R/o 22, Ganesh

(2)

Nagar, Niwaru Road, Jhotwara, Jaipur 302012, District Jaipur (Rajasthan) Group – A.

4. Kamlesh Kanwar W/o Mahendra Singh Shekhawat D/o Chimansingh, aged 50 years by caste Rajput R/o 22, Ganesh Nagar, Niwaru Road, Jaipur-302012, District Jaipur (Rajasthan).

...Respondents.

ORDER (ORAL)

The present Original Application has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:-

- "i) As per the information Res. No.3 has filed Voluntary Retirement application then Res. No.1 and 2 may be directed to stay the proceeding not to accept his Voluntary Retirement till the disposal of this Original Application.
- ii) The humble applicant No.1 and her son may be added as nominee in his service record.
- iii) All the benefits of service – Pension, Gratuity, P.P.F./P.F., Insurance claim, Medical Claim/benefits, etc. be given to the humble applicant No.1 and her son.
- iv) Res.No.1 and 2 may be directed that 50% of the salary of the Res.No.3 be given to the humble applicant No.1 and her son.
- v) Any other appropriate order, which this Hon'ble Tribunal deems fit in favour of the applicant No.1 and her son, may also be passed."

(3)

2. At the very outset, learned counsel for the applicants stated that before filing the present Original Application, the applicant No.1 had submitted a representation dated 07.01.2019 (Annexure A/1) which has not been decided by the respondents as yet. He further stated that the applicants would be satisfied if the respondents are directed to decide the said representation within a time frame.

3. Keeping in view the aforesaid limited prayer made by learned counsel for the applicants, I deem it appropriate to dispose of the instant Original Application at the admission stage itself without entering into the merits of the case.

4. Accordingly, the O.A. is disposed of with a direction to respondents to decide the applicants' aforesaid representation dated 07.01.2019 (Annexure A/1) and pass a reasoned and speaking order in accordance with law. Before taking such a decision, the applicants shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of two months from the date of receipt of a certified copy of this order.

5. Ordered accordingly. No order as to costs.

(Suresh Kumar Monga)
Member (J)

/kdr/