

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA NO. 2308 OF 1999

NEW DELHI THIS THE 4th DAY OF MAY, 2001.
HON'BLE SHRI KULDIP SINGH, MEMBER(J)

In the matter of:-

Jasbir Singh S/O Sh. Rambhool Singh,
R/O Vill- Bisahera , P.O. Khas Gavtambudh
Nagar Ghaziabad. (UP).Applicant
(By Advocate:Shri U.Srivastava)

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Union of India, through

1. The General Manager,
Northern Railway, Baroda House
New Delhi.

2. The Divisional Railway Manager,
Northern Railway, Estate Entry Road,
New Delhi.

3. The Inspector of Works (Flood)
Northern Railway, Baroda House,
New Delhi.

.... Respondents
(By Advocate: Shri R.P.Agarwal)

O R D E R (ORAL)

By Hon'ble Shri Kuldip Singh, Member(J)

This OA has been filed by the applicant under Section 19 of the Administrative Tribunal's Act, 1985 whereby he is challenging the inaction of the part of respondents by which they have not been finalising the case of the applicant for re-engagement as casual labourer. Accordingly, applicant has prayed for the following reliefs:-

(a). to finalise the case of the applicant which is pending before the respondents and to re-instate the applicant in services as a number of juniors of have been engaged and working.

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(b) to allow the present application with all other consequential benefits and costs.

2. The applicant had earlier also filed an OA bearing No. 2806/97 which was decided on 23.1.98. The Tribunal gave the following directions:-

" OA with a direction to the respondents to consider and decide his aforesaid representation within a period of three months from the date of receipt of a copy of this order. Accordingly, the OA is disposed of as above. No costs."

After that applicant had filed a CP No.312/98 which was disposed of on 24.2.99 as the respondents have complied with the directions given in the OA. Thereafter the respondents issued an order dated 22.2.99 asking from the applicant to submit a photocopy of the service particulars. In reply to this applicant submitted that all the documents are with the respondents as he had submitted it on 24.1.90 for which no receipt was taken by the applicant.

3. It is further submitted that till date nothing has been done by the respondents but his representation was decided vide Annexure R-2. He was aggrieved that the respondents instead of considering the applicant's representation, passed another order asking the applicant to produce some more documents

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vide order dated 23.2.99. I may mention that the respondents have stated to the applicant that if he had continuously worked with, the respondents to produce certain documents. It seems that the representation had been decided on 14.1.99 finally as the respondents wanted to avoid the CP filed by the applicants. The applicants were unable to point out that the respondents are deliberately not considering their cases, hence the plea taken by the applicants is untenable.

4. As the document placed on record by the respondents do show that they are considering finalisation of the case of the applicant, so this OA can be disposed of with a direction to the respondents to finalise the case of the applicants at an early date under intimation to the applicants.

5. OA stands disposed of with the above directions. No costs.


(Kuldip Singh)
Member (J)

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