

Central Administrative Tribunal

Principal Bench: New Delhi

(P)

OA No.229/95

New Delhi this the 14th day of January 1997.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

Atar Singh
S/o Shri Jhaboo (Barhav)
R/o Vill. & P.O.Kankather Dist.
Moradabad. ...Applicant.

(By advocate: Shri G.S.Bequrar)

Versus

1. Union of India through
General Manager
Northern Railway
Baroda House, New Delhi.
2. Assistant Engineer
Northern Railway
Hapur. ...Respondents.

(By advocate: Shri K.K.Patel)

O R D E R(oral)

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

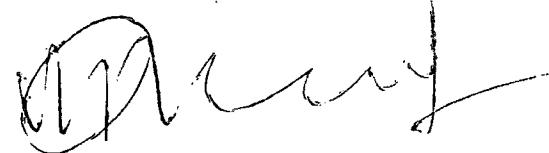
The applicant is aggrieved that his name was not included in the list of casual labourers though he was also entitled to be so included and that he is not being considered for re-engagement by the respondents despite representations made by him in that behalf. Therefore, the applicant has filed this application for a direction to the respondents to consider his engagement as casual labourer and include his name in the live register of casual labourers. As the application has been filed beyond the period of limitation, an MA No. 269/95 was also filed by the applicant for having the delay condoned. After hearing the counsel, by order dated 25.5.95 the application was admitted though no specific order on the MA for condonation of delay was passed. Since the application was admitted, after hearing the counsel, the delay is condoned and the MA is disposed of.

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2. Though the respondents contest the application by filing a reply statement, when the application came up today, counsel for the respondents states that if the applicant now makes a representation to the Divisional Railway Manager (DRM) within a month from today, the competent authority would consider his representation in accordance with the rules and convey to him a reasoned order within a period of one month thereafter. Learned counsel for the applicant states that the applicant would be satisfied if the respondents are directed to consider his case in accordance with the rules. In the light of what is stated by counsel on either side, the application is disposed of with following directions:

- (a) The applicant may within one month from today make a representation in regard to his grievance to the DRM, Moradabad.
- (b) The ~~respondent~~ respondent shall on receipt of his representation in the said period consider his case in accordance with rules and take appropriate decision and convey to the applicant within one month from the date of receipt of his representation. With a view to facilitate the first respondent to see that this is done by the competent authority, the applicant shall also forward a copy of his representation to the first respondent simultaneously.

No order as to costs.



(A.V.Haridasan)

Vice Chairman (J)

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