

5

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
OA No.204/94

New Delhi this the 14th day of July, 1994.

MR.JUSTICE S.K.DHAON, ACTING CHAIRMAN
MR.B.N.DHOUNDIYAL, MEMBER(A)

Shri Chajjoo
S/o Shri Maula Baksh,
Casual Labour under IOW
Northern Railway
R/o H.No.38, Nehru Nagar
Azad Pur,
Delhi. Applicant

BY ADVOCATE SHRI B.S.MAINEE.

vs.

Union of India:Through

1. The General Manager
Northern Railway
Baroda House
New Delhi.
2. The Division Railway Manager
Northern Railway
Moradabad
3. The Inspector of Works
Northern Railway
Gajraula

RESPONDENTS

BY ADVOCATE SHRI H.K.GANGWANI.

ORDER(ORAL)

Justice S.K.Dhaon:

The principal relief claimed in this original application is that the General Manager, Northern Railway, New Delhi (respondent No.1) may be directed to consider the case of the applicant and accord approval for relaxation in age so as to enable respondent No.2 to regularise his services.

2. A counter-affidavit has been filed on behalf of the respondents. Counsel for the parties have been heard.

3. Annexure 'A-2' to this OA is a true copy of the communication of the Divisional Railway Manager, Muradabad to the General Manager stating therein that a relaxation in age may be given in the case of the applicant. This communication is dated 10.2.1993. This OA was presented on 4.1.1994

8/

i.e.beyond a period of six months from the date of the said communication of the Divisional Railway Manager,Muradabad to the General Manager. The respondents do not dispute that the General Manager is the competent authority to grant the relaxation as prayed for by the applicant through the Divisional Railway Manager. The only contention advanced to defeat this application is that this Bench (the Principal Bench) has no jurisdiction to entertain this application. Certainly, a part of the cause action accrued to the applicant to present this application in the Principal Bench. The matter was before the General Manager in February,1993. He did not care to decide the matter till 4.1.1994 which necessitated the filing of this OA.

4. We direct the General Manager, Northern Railway,Baroda House, New Delhi (respondent No.1) to consider and dispose of on merits and in accordance with law, the communication of the Divisional Railway Manager dated 10.2.1993 within a period of three months from the date of presentation of a certified copy of this order by the applicant before him. It will be open to the applicant to transmit a copy of this order to the General Manager by Registered Post Acknowledgement Due.

5. With these directions, this OA is disposed of finally. No costs.

B.N.Dhundiyal
(B.N.DHOUNDIYAL)
MEMBER(A)

S.K.Dhaoan
(S.K.DHAON)
ACTING CHAIRMAN