

Central Administrative Tribunal
Principal Bench: New Delhi

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(7)

O.R. No. 1142/1994

New Delhi this the 17th Day of April 1995

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

Hon'ble Shri K. Muthukumar, Member (A)

Pramod Kumar Shukla,
S/o Shri G.S. Shukla,
J3/771 Khirki Extension,
Malviya Nagar,
New Delhi.

... Applicant

(By Advocate: Shri A.Kalia)

Vs.

1. The Secretary,
Railway Board,
Rail Bhawan,
New Delhi.

2. The Divisional Railway Manager,
Northern Railway,
New Delhi.

.. Respondents

(By Advocate: None.)

ORDER (Oral)

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

The applicant has prayed for a direction to respondents to dispose of the representation submitted by him on 23.1.1993 and not to subject him to any other suitability test to the post of Conductor/Head Ticket Collector as he has already been declared qualified in the suitability test held for the very same post earlier. Though respondents were served with notice and were given several opportunities to file their reply, they have not so far filed the reply. When the application came up on 28.3.1995 as the respondents had not filed reply statement, their right to reply was forfeited. None is present for the respondents even today. Hence we propose to dispose of this

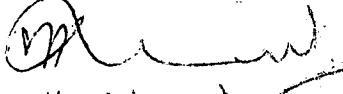
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application with the available pleadings and after hearing the counsel for the applicant. The applicant has made a representation and the relief which he seeks is only a disposal of the representation. While a railway servant makes a representation in regard to any of the service matters, the competent authority is expected to consider the representation on its merits and to give him a speaking order. Therefore, we are of the view that the application has to be disposed of with appropriate direction.

2. In the result the application is disposed of with the direction to the second respondent to consider the representation submitted by the applicant dated 23.1.1993 (Annexure A-1) and to give him a speaking order within a period of one month from the date of receipt of communication. There is no order as to costs.


(K. Muthukumar)
Member (H)


(A.V. Haridasan)
Vice Chairman (J)