

(OPEN COURT)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD

This the 28TH day of *AUGUST, 2020*.

ORIGINAL APPLICATION NO. 393 OF 2020

HON'BLE MRS. JUSTICE VIJAY LAKSHMI, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)

Kamlesh Singh Yadav aged about 21 years, S/o Rama Shankar Singh Yadav, R/o Village & Post Bhagirathpur, District Ghazipur (presently posted as Track Maintaner Grade IV under the office of Sr. Section Engineer, Rail Path/II NCR, Kanpur).

.....Applicant.

VERSUS

1. Union of India through General Manager, North Central Railway, Allahabad.
2. Chairman, Railway Recruitment Cell, North Central Railway, Allahabad.
3. Assistant Divisional Engineer/Line North Central Railway, Kanpur.
4. Assistant Personal Officer, North Central Railway, Allahabad.

.....Respondents

Advocate for the Applicant : Shri P.K. Mishra
Shri P.K. Dubey

Advocate for the Respondents : Shri S.M. Mishra

ORDER

(DELIVERED BY HON'BLE MRS. JUSTICE VIJAY LAKSHMI, MEMBER (J))

The present O.A. has been filed during period of Unlock-3.

2. The undersigned as well as Hon'ble Mr. Anand Mathur, Member (Administrative) have joined this Division Bench on line through Virtual Conferencing facility.

3. Shri P K Mishra, Advocate on behalf of the applicant and Shri Shesh Mani Mishra, Advocate representing all the respondents on advance notice are physically present in court.

4. Heard Id. counsel for the parties and perused the record available with us in pdf. form

5. Pursuant to R.R.C. notification, the applicant participated in selection process for appointment in Group-D post and successfully qualified all required steps including document verification and medical tests etc. His name found place in the merit list and he was awarded rank of 309. However, he was not given the posting he had opted for, whereas another candidate having a lower rank was appointed on that post.

6. Learned counsel for the applicant submitted that the applicant filed a representation on 12.10.2019 and again a reminder on 21.11.2019 before the Chairman, RRC (Respondent No. 2), however, no decision was taken on his representation and both are still pending consideration before the Respondent No. 2.

7. Learned counsel for the respondents has raised objection on the ground that due to the reason that the representations were to be decided by Respondent No. 3 and not by Respondent No. 2, these representations are pending.

8. On this, learned counsel for the applicant prayed that he may be given an opportunity to move a fresh representation before Respondent No. 3 and Respondent No. 3 may be directed to decide it in a time bound manner.

9. Learned counsel for the respondents has no objection against this limited prayer made by the learned counsel for the applicant

10. In view of the above, no useful purpose will be served by keeping this matter pending, therefore, this O.A. is disposed of at the admission stage itself with a direction to the applicant to submit a fresh representation within a period of two weeks from today. If the applicant submits his representation within the time granted to him along with a certified copy of

this order, the respondent No.3 shall decide it by passing a reasoned and speaking order within a period of two months from the date of receipt of the fresh representation. The order passed by the respondents on the representation shall be communicated to the applicant. No order as to costs.

11. It is made clear that we have not expressed any opinion on the merits of the case.

(ANAND MATHUR)
MEMBER-A

(JUSTICE VIJAY LAKSHMI)
MEMBER-J

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