

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

ORIGINAL APPLICATION NO.170/00401/2020

DATED THIS THE 25th DAY OF SEPTEMBER, 2020

CORAM:

HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)

(On video conference from Central Administrative Tribunal, Bangalore Bench at Bangalore)

HON'BLE SHRI RAKESH KUMAR GUPTA, MEMBER (A)

(On video conference from Central Administrative Tribunal, Bangalore Bench at Bangalore)

1. M.R.Jagannatha
S/o Late M.G.Ranganath
Aged 53 years
Office Superintendent
O/o Sr.Divisional Signal & Telecommunication Engineer
S.W.Railway, Bengaluru
R/o #325, EWS, 2nd Stage, 2nd Main
KHB Colony, Basaveshwara Nagara
Bengaluru-560079.

2. Ateeq Ur Rahman
S/o Late Nizar Ahmad
Aged 51 years
Sr.Technician/Telecommunications
S.W.Railway, Yeshwanthapur
Bengaluru-560022.
R/o #55, Behind KEB Colony, 3rd Cross
Udayagiri, Mysuru-570019.

....Applicant

(By Advocate Shri K.Shivakumar - through video conference)

Vs.

1. Union of India, Rep. by
General Manager

South Western Railway
Rail Soudha, Gadag Road
Hubballi-580020.

2. Senior Divisional Personnel Officer
S.W.Railway
Bengaluru-560023.

.....Respondents

O R D E R (ORAL)

PER: SURESH KUMAR MONGA, MEMBER (J)

The present Original Application has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:

- i. Order the respondents to consider the request of the applicants and re-deploy them in the ticket checking cadre as CTTI with protection of pay and Grade pay on similar lines as was done in Hubballi division (as per Annexure-A3) and
- ii. Grant any other relief or reliefs as deemed fit and proper in the interest of justice and equity.

2. At the very outset, Shri K.Shivakumar, learned counsel representing the applicants submitted that before filing the present Original Application, the applicants had submitted representations dated 28.01.2020 and 19.12.2019 on which no decision has been taken by the respondents.

3. He further submitted that the applicants will be satisfied if a direction is

issued to the respondents to decide those pending representations within a time frame.

4. Keeping in view the aforestated limited prayer made by learned counsel for the applicants, we deem it appropriate to dispose of the present Original Application at the admission stage itself without entering into the merits of the case.

5. Accordingly, the Original Application is disposed of with a direction to the General Manager, South Western Railway, Hubballi to decide the applicants' pending representations dated 28.01.2020 and 19.12.2019 (Annexure-A9) and pass a reasoned and speaking order in accordance with law. Before taking such a decision, the applicants shall also be afforded opportunity of hearing. The whole exercise shall be undertaken within a period of two(2) months from the date of receipt of a certified copy of this order.

6. The OA stands disposed of in the above terms. However, there shall be no order as to costs.

(RAKESH KUMAR GUPTA)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)

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Annexures referred to by the applicant in OA No.401/2020:

Annexure-A1: Railway Board's letter dtd.23.11.2011

Annexure-A2: Letter of R2 dtd.24.8.2015

Annexure-A3: Memorandum dtd.19.02.2013

Annexure-A4: Letter of trade union dtd.27.4.2017

Annexure-A5: Office order dtd.26.7.2017

Annexure-A6: Office order dtd.12.4.2017

Annexure-A7: Tribunal's order dtd.26.4.2019

Annexure-A8: Office order dtd.6.11.2019

Annexure-A9: Representations dtd.28.1.2020 & 19.12.2019
