



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

Hearing by Video Conferencing

O.A. No.060/00014/2021

Chandigarh, this the 08th of January, 2021

HON'BLE MR. SURESH KUMAR MONGA, MEMBER (J)

(On video conference from Central Administrative Tribunal,
Chandigarh Bench, Chandigarh)

HON'BLE MR. RAKESH KUMAR GUPTA, MEMBER (A)

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

Charan Singh s/o Dhoop Singh, age 30 years, presently working
as Chowkidar under Section Engineer (Works), Northern
Railway, Rajpura – 140401.

....Applicant

(BY: Mr. D.R. Sharma, Advocate)

Versus

1. Union of India through the General Manager, Northern Railway,
Baroda House, New Delhi – 110001.
2. Divisional Railway Manager, Northern Railway, Ambala Division,
Ambala Cantt- 133001.
3. Assistant Divisional Engineer, Northern Railway, Rajpura –
152004.

... .Respondents

O R D E R(Oral)

Per :SURESH KUMAR MONGA, MEMBER (J):

1. The present O.A. has been filed by the applicant under
Section 19 of the Administrative Tribunals Act, 1985, seeking
therein the following relief:



“(i) That the respondents be directed to appoint the applicant to the post as per the advertisement and the preference chosen by the applicant and merit secured by him (Annexure A-1)
(ii) That the respondents be directed to grant the applicant all the consequential benefits at par with the candidates who were selected with the applicant as per the advertisement in the matter of further promotion.”

2. At the very outset, Mr. D.R. Sharma, learned counsel representing the applicant, submitted that before filing the present O.A., the applicant got issued a legal notice dated 25.07.2020 (Annexure A-2) on which no decision has been taken by the respondents.
3. Learned counsel further submitted that the applicant will be satisfied if a direction is issued to the respondents to treat the aforesaid legal notice as his representation, and a reasoned and speaking order is passed on the same in accordance with law within a time frame.
4. Keeping in view the aforesaid limited prayer made by learned counsel for the applicant, we deem it appropriate to dispose of the present O.A., at the admission stage itself, without entering into the merits of the case.
5. Accordingly, the O.A. is disposed of with a direction to the Divisional Railway Manager, Northern Railway, Ambala Division, Ambala Cantt, to treat the legal notice dated 25.07.2020 (Annexure A-2) as applicant's representation and pass a reasoned and speaking order in accordance with law. Before taking such a decision, the applicant shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken



within a period of one month from the date of receipt of a certified copy of this order.

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

(RAKESH KUMAR GUPTA)
MEMBER (A)

(SURESH KUMAR MONGA)
Member (J)

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