

Through Video Conferencing

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR**

Original Application No.200/459/2020

Jabalpur, this Wednesday, the 16th day of September, 2020

**HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER**

1. Ashwini Chouksey, S/o Shri Ram Kumar Chouksey, Age : 39 years, Occupation : Agriculturist, R/o Village and Post Kala Dehi, District Jabalpur.

2. Neelam Singh Rajput, Age 41 years, S/o Shri Dhanni Singh Rajput, Occupation : Agriculturist, R/o Village Khapa, Post Kala Dehi, District Jabalpur (M.P.) Mo: 9713989942.

3. Neeraj Mishra, Age 36 years, S/o Shri Dayashankar Mishra, Occupation : Agriculturist, R/o 2658, Gadha Purva, Near Chota Jain Mandir, Nagpur Road, Jabalpur (M.P), Mo: 9302372856

-Applicants

(By Advocate – Shri Akshay Pawar)

V e r s u s

1. Union of India through the General Manager, South East Central Railway, Bilaspur (C.G.) 495001.

2. Divisional Office (Personnel Department) through Divisional Railway Manager, South East Central Railway, Nagpur (M.H.) 440001.

3. Principal Chief Personnel Officer, South East Central Railway, Bilaspur (CG) 495001

-Respondents

(By Advocate – Shri A.S. Raizada)



O R D E R**By Ramesh Singh Thakur, JM.**

Heard.

2. This Original Application has been filed against the inaction on the part of the respondents whereby the respondent No.2 has not decided the matter regarding the age relaxation, which was sent on 16.09.2019.

3. From the pleadings, facts of the case are that the applicants are the land owners of the land, which was acquired by the Railways for the purpose of converting Narrow Gauge railway line to Broad Gauge railway line between Gondia to Jabalpur. On 16.07.2010 (Annexure A-2), a policy was formulated by the Railway Board for providing employment to land losers in lieu of their land acquired for the Railways project. Relying on the said policy, some affected persons approached the Hon'ble High Court of Madhya Pradesh at Jabalpur in Writ Petition No.7971/2013, which was disposed of vide order dated 13.05.2013 (Annexure A-3) with the direction to the Railways to decide the claim of the petitioners therein in a time-bound manner. The applicant No.1 also approached the Hon'ble High Court of Madhya Pradesh in W.P No.10002/2018 and the Hon'ble High Court has



passed similar order on 27.07.2018 (Annexure A-4). Subsequently, the case of the applicants was screened by the Screening Committee.

 4. The applicants submit that vide Annexure A-8 dated 29.06.2019, the respondents have issued the list of candidates who are required relaxation in age/education from the competent authority, i.e. General Manager and the name of the applicants have been reflected at Sr. Nos.4, 5 and 12 of the said list. Thereafter, the respondent No.3 sent the said list to respondent No.2 for taking appropriate action.

5. Learned counsel for the applicants submits that the applicants have also preferred a representation dated 30.09.2019 (Annexure A-10) to respondent No.1 for redressal of their grievances. However, till date no decision has been taken. At this stage, learned counsel for the applicants submits that the applicants will be satisfied if they are allowed to file a detailed representation indicating their claim to the respondent department within one week and the respondents, in turn, may be directed to decide the same in a time-bound manner.

6. We have considered the matter and we are of the view that the ends of justice will be met if the respondents are directed to decide the



representation to be filed by the applicants. Accordingly, without going into the merits of the case, we dispose of this Original Application with liberty to the applicants to file a detailed representation to the competent authority of the respondents, within one week from today and the competent authority, on receipt of such representation, shall consider and decide the same within four weeks thereafter. Needless to say that the competent authority shall pass a reasoned and speaking order. While deciding the claim of the applicants, the contentions raised in the representation shall be dealt with.

6. With these observations, this Original Application is disposed of at the admission stage itself. No costs.

(Naini Jayaseelan)
Administrative Member
am/-

(Ramesh Singh Thakur)
Judicial Member