

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00623/2020

Jabalpur, this Tuesday, the 24th day of November, 2020

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



Sunil Kumar Choudhary S/o Shri Sadhu Choudhary Aged about 25 years Occupation Student R/o Village Sahganj P.O. Sonbarsa, PS GB Nagar Tarwara District Siwan (Bihar) 841241 -Applicant

(By Advocate –Shri Manoj Sharma)

V e r s u s

1. The Union of India Through its General Manager, South East Central Railway near Railway Station, Bilaspur (Chhattisgarh) 495004
2. The Chief Personnel Officer, South East Central Railway Headquarter Personnel Department 1st Floor General Manager's Office Near Railway Station Bilaspur (Chhattisgarh) 495004
3. The Railway Recruitment Cell, Through its Chairman South East Central Railway Headquarter Personnel Department 1st Floor, General Manager's Office Near Railway Station Bilaspur (Chhattisgarh) 465004
4. The Assistant Personnel Officer, South East Central Railway Headquarter Personnel Department, 1st Floor General Manager's Office Near Railway Station Bilaspur (Chhattisgarh) 495004 - Respondents

(By Advocate –Shri A.S. Raizada)

O R D E R (Oral)

By Ramesh Singh Thakur, JM:-

Heard.

2. This Original Application has been filed against the inaction on behalf of the respondents for not deciding the representation (Annexure A/6) dated 17.08.2020.



3. From the pleadings the case of the applicant is that the South East Central Railway has issued an advertisement vide Employment notification dated 14.12.2013 for recruitment in Group D post. Applicant belongs to Scheduled Caste category candidate. The applicant applied for the said post. The examination was conducted by the Railway Recruitment Cell, SCER, on 23.11.2014. The applicant appeared in the said examination. The applicant was called for physical, medical test and documents verification after qualifying the written examination. The applicant was issued a show cause notice dated 03.02.2016 (Annexure A/3) regarding some discrepancies noticed during document verification

on 30.07.2015 i.e. in the application form, OMR sheets, PET and DV declaration form etc which giving rise to the suspicion of impersonation and after verification of the documents by the finger print expert, it has been established that some else was appeared in the applicant's place and applicant was called for explanation by 29.02.2016. The applicant replied to show cause notice on 15.02.2016 (Annexure A/4) and requested for re-verification of the thumb impression of applicant in all the documents. The applicant has made a representation before the respondent authorities but no decision has been communicated to the applicant. The applicant submitted his latest representation dated 17.08.2020 which was received by the respondent authorities on 18.08.2020 (Annexure A/6). The respondent authority communicated on 12.10.2020 (Annexure A/7) that applicant's representation has been received on 19.08.2020 and after verification of documents and enquiry has been ordered and the same has been duly informed to applicant.



4. At this stage learned counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to decide Annexure A/6 in a time bound manner.



5. Learned counsel for the respondents submits that he has no objection if the Original Application is disposed of in above manner.

6. We have considered the matter and we are of the view that the natural justice will be met if the competent authority of the respondents are directed to decide the representation dated 17.08.2020 (Annexure A/6) in a time bound manner especially when the representation is still pending.

7. Resultantly, the competent authority of the respondents is directed to decide the applicant's representation dated 17.08.2020 (Annexure A/6), if not already decided, within a period of six weeks after receiving the copy of this order.

8. Needless to say, that the respondents shall pass a reasoned and speaking order. Respondents shall also deal with all the contentions raised in Annexure A/6.

9. With these observations, this Original Application is disposed of at admission stage itself.



(Naini Jayaseelan)
Administrative Member

(Ramesh Singh Thakur)
Judicial Member

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