

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00058/2021

Jabalpur, this Friday, the 22nd day of January, 2021

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



Avinash Shukla, S/o Shri Deen Dayal Choubey,
DOB-05.07.1990, working-Unemployed, R/o Ward no. 07
Galla Mandi, Shuklan Mohalla, Tahsil &
District-Chhatarpur (MP)-471001
Offering appointment in Railways to Group D post

-Applicant

(By Advocate – **Shri Praveen Yadav**)

V e r s u s

1. Union of India,
Thorough its Secretary,
Ministry of Railway, Rail Bhawan,
Raiseena Road, New Delhi 110001

2. The General Manager, West Central Railway,
Infront of Indira Market, Jabalpur (MP)-482001

3. The Divisional Railway manager,
West Central Railway, Bhopal Division
Bhopal (MP)-462026

- Respondents

(By Advocate – **Shri A.S.Raizada**)

O R D E R(ORAL)

By Ramesh Singh Thakur, JM:-

Heard.

2. Through this Original Application the applicant is challenging the propriety of action of respondents in not providing him appointment as per notification dated 17.12.2013 (Annexure A-1).

3. From the pleadings the case of the applicant is that the Railways have issued notification dated 17.12.2013 (Annexure A-1) to acquire the land for the project of Broad Gauge Railway track for Lalitpur-Khajuraho-Satna and Rewa-Sidhi along with two other Railway project. The land of the father of the applicant was acquired in the year 2015 and as per clause-2 of notification one person of the affected family whose land has been acquired will be given employment in the railways. The applicant is an adopted son of Deen Dayal Choubey by duly executed deed of adoption dated 26.03.2005. Copy of the same is annexed as Annexure A-4. The father of the applicant submitted an application before the Sub Division Officer/Land Acquisition Officer, Chhatarpur for entering the name of the applicant as legally adopted son. However, the Sub Division Officer/Land Acquisition Officer has refused to record the name of the applicant against the land of Deen Dayal Choubey. The order passed by the S.D.O was challenged by the applicant before the Hon'ble High Court by filling a Writ Petition which was rejected by the Hon'ble High Court vide order dated 13.03.2019. Feeling aggrieved by the said order the applicant filed a Review Petition which was decided in favour





of the applicant on 18.10.2019 (Annexure A-5). After the order of the Hon'ble High Court dated 18.10.2019 the S.D.O/Land Acquisition Officer, Chhatarpur entered the name of the applicant as adopted son of Deen Dayal Choubey and the applicant was given certified copy of the order dated 24.08.2020 (Annexure A-6). After that applicant submitted an application in the prescribed form with the covering letter dated 12.08.2020 (Annexure A-7) to respondent No.2 but till date the respondents has not given any response to it.

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/7 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 is directed to decide representation Annexure A-7 in a time bound manner.

7. Resultantly, the competent authority of the respondents is directed to decide the representation dated 12.08.2020

(Annexure A/7), keeping in mind the fact that the land of the applicant has been acquired in the year 2015, within a period of 60 days after receiving the copy of this order.

8. Needless to say that the respondents shall pass the reasoned and speaking order. Respondents shall also deal with all the contentions raised in the appeal filed at Annexure A-7.



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

10. Applicant is directed to make available copy of order of this Tribunal as well as copy of Original Application to the competent authority of the respondents.

(Naini Jayaseelan)
Administrative Member
rn

(Ramesh Singh Thakur)
Judicial Member