

**CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA
O.A. No. 050/00355/2020**

Date of Order: 10th December, 2020

C O R A M

**HON'BLE MR M.C. VERMA, MEMBER [J]
HON'BLE MR. S.K. SINHA, MEMBER [A]**

Dr. Niranjay Kumar, Aged about 63 years, Son of Sri Govind Lal Chaurasia, resident of Sipahi Lane, Singra Asthan, P.S. Rampur, District – Gaya. Applicant.

By Advocate :- Shri Goutam Bose, Sr. Counsel
Shri Rohit Mishra, Advocate.

-Versus-

1. The Union of India through the Chairman, Railway Board, Railway Board, Rail Bhawan, New Delhi – 100001.
2. The Secretary, Railway Board, Railway Board, Rail Bhawan, New Delhi – 100001.
3. The General Manager, E.C. Railway, Hajipur – 844100.
4. The General Manager (Personnel), E.C. Railway, Hajipur – 844100.
5. The Divisional Railway Manager, E.C. Railway, Mughalsarai – 232101.
6. The Deputy Secretary (E), Superintendent, Railway Board, Rail Bhawan, New Delhi – 100001.
7. The Chief Medical Director, E.C. Railway, Hajipur – 844100.
8. The Chief Medical Superintendent, E.C. Railway, Mughalsarai – 232101.
9. The Senior D.F.M., E.C. Railway, Mughalsarai – 232101.
10. The Senior Divisional Personnel Officer/D.R.M. (P), E.C. Railway, Mughalsarai – 232101.

.... Respondents.

By Advocate :- Shri Bindhyachal Rai.

O R D E R (O R A L)

M.C. Verma, M[J] :- On last date i.e. 13.11.2020, order regarding written statement was passed by the Bench. The said order, inter alia reads:- *“Learned counsel for respondents submits that written*



statement has been filed and that all tenable grievances of the applicant have since been redressed. Office record does not reflect receiving of the written statement, however, Registry is directed to take note of and to place the reply on file on the next date, if the same is received. Adjourned to 10.12.2020." It is shocking that Registry did not bother to take note of the order. There is no endorsement about written statement nor written statement is on record. However this aspect would be dealt with from administrative side and the issue, which needs consideration in O.A. now only is that if grievances of the applicant has already stood redressed, what is the utility to continue with the O.A.?



2. As reflected from order dated 13.11.2020, as reproduced herein above, learned counsel for respondents has stated on that day that all tenable grievance of the applicant has been redressed. Today also he reiterates that entire due amount of the applicant has been paid and no grievance of the applicant as has been raised in the O.A. now remains. He requests to dispose of the O.A. and also urged that though written statement is not on the record, may be because of fault on the part of Registry but if applicant do admit that no grievance of him now remains, the O.A. may be disposed of in absence of written statement also.

3. Learned counsel Shri Goutam Bose, Sr. Advocate who appears for applicant submits that main grievance of the applicant has since been redressed and there is no utility to continue this O.A. and therefore, O.A. may be disposed of. He however added that applicant, on 20.11.2020 has preferred a representation regarding benefit of

DACP scheme and said representation of him is still pending, so direction may also be given for disposal of the representation. Learned counsel for the respondents vehemently opposes this request stating that issue of DACP or of representation is not the subject matter of instant O.A.

4. Having taken note of the submissions made at Bar and other surrounding circumstances, at present nothing left for adjudication in the matter as grievances of the applicant raised in the O.A. has already been redressed. Having hope that to avoid unwarranted litigation, steps from side of the respondents qua representation dated 20.11.2020, if any, shall also be taken, the O.A. stands disposed of. No costs.



Sd/-
[Sunil Kr Sinha]
Member [A]

Sd/-
[M.C. Verma]
Member [J]