

CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA

OA/050/00446/2020 & MA 199/2020

Date of Order :03.12.2020

C O R A M

HON'BLE MR. M.C.VERMA, JUDICIAL MEMBER
HON'BLE MR. SUNIL KUMAR SINHA, ADMINISTRATIVE MEMBER



1. Raj Kishore, aged 34 years, son of Late Ram Chandra Prasad, holding the post of Trackman, under PWI/TATA, S.E. Railway, Chakradharpur Division, PO & PS-Jamshedpur, District-Singhbhum (East), Pin No. 831002.
2. Aftab Alam, aged 27 years, son of Md. Ansar Ali, holding the post of Trackman, SE Railway, under PWI Sinni, CKP Division, PO-Sinni, P.S.- Saraikella, District- Kharswan, Pin No. 833220.
3. Samir Mahata, aged about 26 years, son of Sri Anadi Mahato, Ex- Trackman, SE Railway, under PWI Engineer Department, Tata Nagar, PO & PS-Tatanagar, District-Singhbhum (East), Pin No. 831002.

..... Applicant.

- By Advocate : Mrs. M.M.Pal assisted by Miss Apragita Sinha.

-Versus-

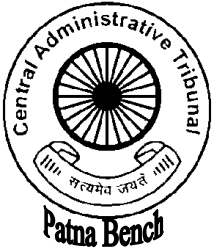
1. Govt. of India, Ministry of Railways, Railway Board, through Joint Director (P&A), New Delhi.
2. Union of India through, General Manager, S.E. Railway, Garden Reach, Kolkata-43.
3. Divisional Railway Manager, S.E. Railway, Chakradharpur Division, PO & PS-Chakradharpur, Dist-Singhbhum (West) Pin No.-833102.
4. Sr. Divisional personnel Officer, Chakradharpur Division, S.E. Railway, PO & PS-Chakradharpur, Dist-Singhbhum (West) Pin No.-833102.

..... Respondents.

By Advocate :- Shri Prabhat Kumar, Id. SC

ORDER [ORAL]

Per M.C.Verma, Member (Judl.):- Heard. The matter is at notice stage hearing. Advance copy of the OA has been served to counsel for respondents and Shri Prabhat Kumar Advocate has appeared for respondents.



2. Learned counsel Mrs. M.M.Pal, Sr. Advocate presses the OA and at the out set did urge that OA No. 445/2020 was also listed for today, and that OA has been disposed of by passing a oral order and that the present OA and OA 445/2020 are identical in nature and mere distinction between the two is that in OA 445/2020, applicant had preferred representation and in instant case, applicant had not preferred any representation after decision of Hon'ble Supreme Court. That in OA 445/2020 this Tribunal, after having heard, the party has please to direct the respondents to consider and take decision on the representation of applicant of that OA. She urged that this OA may also be disposed of on same terms granting liberty to the applicant to file representation.

3. Learned counsel for the respondents has no objection if this OA be also disposed of in terms of OA No. 445/2020.

4. Considered the submission OA No. 445/2020 stand disposed of with observation and direction as mentioned herein below :-



“Having taken note of submission made at Bar and other surrounding circumstances as well the pleading in the OA, it appears appropriate to dispose of this OA at this stage of notice hearing itself with direction to the respondents to consider and decide the application/representation of the applicant by passing a reasoned and speaking order within two months of the date of receipt of copy of this order taking note of circular & instruction issued by the Railway Board as well judicial direction relating to LARSGESS. Ordered Accordingly. OA stand disposed of. Pending MA, if any also stand disposed of.”

5. Taking note of entirety, this OA is disposed of with liberty to the applicant to prefer a representation within fifteen days and if any such representation is given by the applicant within stipulated time, the same shall be considered and will be disposed of by the respondent authority within two months from the date of receipt of representation.

6. With aforesaid observation, the OA stand disposed of. MA pending also stand disposed of accordingly.

[Sunil Kumar Sinha]
Member (A)

[M.C. Verma]
Member (J)

Pkl/