

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 5TH DAY OF NOVEMBER, 2001

Diary No.3597 of 2001 (OA.1314/01)

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.C.S.CHADHA, MEMBER(A)

1. Parvin Kumar,a/a 48 years
Son of Sri V.N.Srivastava
Posted as Station Supdt. Northern
Railway,Phaphamau,district
Allahabad.
2. I.A.Farooqui, son of Sri I.A.Farooqui
Posted as Asstt. Programmer in
the office of Divisional Railway
Manager, N.Railway ~~Allahabad~~
Lucknow.
2. S.K.Srivastava,a/a 49 years
Son of Sri K.P.Srivastava, posted
as Chief Inspector, in the office
of Divisional Traffic Training
School, Norther Railway
Lucknow.
4. S.P.Gautam.a/a 42 years son
Sri Satish Kumar, posted as
Deputy Station Supdt.,N.Railway
Lucknow.
5. Mahmood aa/a 49 years
Son of Shri Mohd. Ali,posted as
Station Supdt.Kunda Harnanganj
under Divisional Railway Manager,
Northern Railway, Lucknow.
6. S.P.Tewari,a/a 46 years, son of
Shri Shitla Prasad Tewari
post~~ed~~ as Rest Given, Station Supdt.
Rae-bareli under D.R.M.
Northern Railway, Lucknow.

... Applicant

((By Adv: Shri Sudhir Agrawal)

Versus

1. Union of India through its
General Manager, Northern Railway
New Delhi.
2. The Railway Board, Rail Bhawan
New Delhi through its Chairman

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3. The Divisional Railway manager
Northern Railway, Lucknow.
4. Sri J.K.Malhotra, posted as
Additional Station Supdt. Northern
Railway Lucknow.

... Respondents

(By Adv: Shri A.K.Gaur)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

This OA u/s 19 of A.T.Act 1985, has been filed challenging the order dated 24.7.2000(Annexure A-1) by which ^{the} representation of the applicant relating to seniority has been rejected. It is not disputed that against the aforesaid order applicant has a statutory remedy of appeal which he ^{has} availed and filed appeal on 4.8.2000. A copy of memo of appeal has been filed as (Annexure A-32). The learned counsel has submitted that appeal of the applicant is still pending before the General Manager, Northern Railway at New Delhi. Hon'ble Supreme Court in case of (AIR 1990 S.C.-10) S.S.Rathore Vs.State of Madhya Pradesh, has held that departmental appeals and revisions should be decided within a period of three months ^{to} six months. The aforesaid view expressed by Hon'ble Supreme court is binding on all authorities. We do not find any good reason on the part of General Manager as to how he could not decided the appeal for this long time. Considering the facts and circumstances and the nature of dispute in our opinion ends of justice shall be served if we direct the General Manager ^{to decide appeal} by a reasoned order within a specified time.

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The OA is accordingly disposed of finally with the direction to General Manager, Northern Railway, Baroda House, New Delhi to decide the appeal of the applicant filed on 4.8.2000 by a reasoned order within three months from the date a copy of this order is filed before him. To avoid delay it shall be open to the applicant to file a fresh copy of the appeal alongwith copy of this order. No order as to costs.



(C.S. CHADHA)
MEMBER(A)



(R.R.K. TRIVEDI)
VICE CHAIRMAN

. Dated: 05.11.2001

Uv/