

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 383 of 2001

Allahabad this the 12th day of April, 2001

Hon'ble Mr.S.K.I. Naqvi, Member (J)
Hon'ble Maj.Gen.K.K. Srivastava, Member (A)

Umesh Pandit, Son of Bijo Pandit, R/o Khutaha
Chetan Tola, Post Khutaha Deeh, District Lukhi-
sarai, Bihar. At present resident of C/o
Shri Vishram Pandit, S.S.Q., Air Force, Bamrauli,
Allahabad.

Applicant

By Advocate Shri I.M. Kushwaha

Versus

1. Union of India through Secretary, Ministry of Railway, Government of India, New Delhi.
2. The General Manager, North Eastern Railway, Gorakhpur.
3. The Divisional Railway Manager, North Eastern Railway, Sonepur.

Respondents

By Advocate Shri K.P. Singh

O_R_D_E_R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

The applicant has come up seeking relief to the effect that the respondents be directed to consider him for regular employment in the department on the post of Class IV category

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or Group 'D' category.

2. As per his case the applicant worked for 89 days during 09.8.79 to 08.11.79, 595 days from 10.02.1981 to 25.12.82, he also worked for 322 days from 25.4.87 to 31.7.89 and for 116 days during each of the tenure from 01.4.1991 to 31.7.91 and 01.4.92 to 31.7.92, and thereby he becomes entitled to be brought on Live Casual Labour Register and also to be given temporary status for being engaged at his turn. The applicant has also mentioned that he moved a representation to competent authority in the respondents establishment on 07.02.2001, copy of which has been annexed as annexure-5, but without any success and, therefore, he has come up seeking relief.

3. Shri K.P. Singh, Standing Counsel for the respondents has opposed the prayer, sought time to file the reply.

4. We find that no fruitful purpose will be served in keeping the matter pending and case may be finally decided at this stage with direction to the respondents to decide the pending representation of the applicant and the O.A. is therefore, decided at this stage with the following direction;

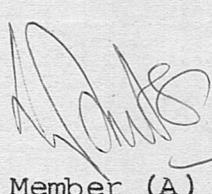
"The competent authority in the respondents establishment is directed to decide the pending representation of the applicant which is dated 07.02.2001 and copy of which has been annexed

[Signature]

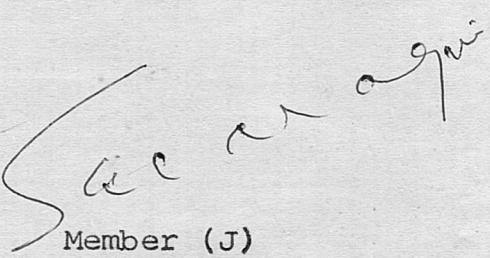
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as annexure-5 to the O.A., within 4 months from the date of communication of this order. In case the grievance of the applicant is not redressed, a detailed, reasoned and speaking order be passed taking into consideration the departmental notifications and the law handed down by the superior Courts.

5. No cost.



Member (A)



Member (J)

/M.M./