

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

(THIS THE 12th DAY OF November, 2009)

PRESENT:

HON'BLE MR. JUSTICE A.K. YOG, MEMBER-J
HON'BLE MRS. MANJULIKA GAUTAM, MEMBER-A

ORIGINAL APPLICATION NO. 450 OF 2001
(U/s, 19 Administrative Tribunal Act.1985)

Surendra Rai, S/o Late Sri Siddha Nath Rai, R/o 277-A, Kachchi Sarak, Daraganj, Allahabad.

.....Applicant

By Advocate: Shri H.S. Srivastava

Versus

1. Union of India, through the Secretary, Government of India, Ministry of Railways, New Delhi.
2. The General Manager, North Eastern Railway, Gorakhpur.
3. The Divisional Railway Manager, North Eastern Railway, Varanasi.
4. The Divisional Railway Manager (Operating), North Eastern Railway, Varanasi.
5. The Divisional Railway Manager (Personnel), North Eastern Railway, Varanasi.

..... Respondents

By Advocate: Shri D.P. Singh

ORDER

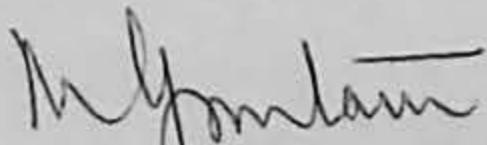
(DELIVERED BY: JUSTICE A. K. YOG- MEMBER-JUDICIAL)

1. Heard learned counsel for the parties. Perused the pleadings and the documents on record.
2. Applicant seeks to challenge order dated 19.02.2001, Annexure A-17/Compilation-I. The applicant primarily claims computation of his service w.e.f. 25.1.1995 to 15.05.1996, which according to him, has been ignored) and as a consequence thereof, his juniors has walked over him. Copy of representation dated 21.04.1999 has been filed as Annexure-14/compilation-II to the

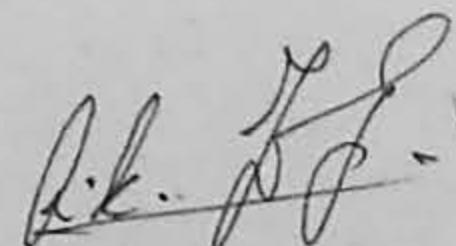
OA. Applicant subsequently filed representation dated 7.8.2000, Annexure A-16. In this representation also he had raised his grievances on the issue of ignoring aforesaid period. According to the Applicant he has been victimized, but the impugned order does not deal with his contention/s raised in writing.

3. Impugned order, therefore, cannot be said to be 'speaking order'. In view of the above, order dated 19.02.2001 is quashed and set aside with direction to the concerned authority to decide the representation of the applicant by means of speaking and reasoned order with reference to relevant rules etc.

4. OA stands allowed. Applicant is directed to file certified copy of this order within six weeks from today before concerned competent authority in order to ensure compliance. If certified copy is filed as indicated above, the competent authority shall decide the matter within three months of certified copy of this order. In case for computation of aforesaid period, he shall be entitled to all consequential benefits also. No Costs.



Member-A



Member-J

/ns/