

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD.

Dated: Allahabad, the 17th day of July, 2001.

Coram: Hon'ble Mr. Rafiq Uddin, J.M.

Hon'ble Maj. Gen. K. K. Srivastava, A.M.

ORIGINAL APPLICATION NO. 756 OF 2001

Virendra Pal Singh,
s/o Sri Karan Singh,
r/o Sahab Wala Pech, Kasganj,
District Etah at present posted
as Khalasi in the office of
Junior Engineer- Ist (Electric) Train
Lighting office, North Eastern Railway,
Kasganj, District Etah.

..... Applicant.

By Advocate: Sri Dinesh Pathak

Versus

1. Union of India through
General Manager,
North Eastern Railway, Gorakhpur.
2. Divisional Railway Manager (Personnel),
North Eastern Railway, Izzatnagar (Bareilly).
3. Divisional Railway Manager (Electricity)/
Divisional Electric Engineer,
North Eastern Railway, Izzatnagar (Bareilly).

... Respondents.

By Advocate: Sri K. P. Singh

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(ORAL)

(By Hon'ble Mr. Rafiq Uddin, JM)

The applicant, who is working as a Khalasi in the office of Junior Engineer, North Eastern Railway, Kasganj, Etah, has filed this O.A., seeking quashing of the order dated 2nd September, 1998 passed by the Divisional Electric Engineer, Respondent No.3. By the said order, the facility of one set of Privilege Pass available to the applicant was withheld. The applicant has also sought direction to be issued to the Respondents to pay salary for the period 27.7.1992 to 24.3.1998.

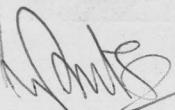
2. The case of the applicant, in short, is that the applicant reported for his duty and submitted his application for grant of leave along with medical prescription and Fitness Certificate on 18.1.93. The applicant was, however, not allowed for his duty. Then the applicant filed O.A. in the year 1995 before this Tribunal. Since the applicant was permitted to join his duty during the pendency of the aforesaid O.A., the applicant withdrew the O.A. as not pressed in the year 1995 itself. The applicant claimed that even though he was permitted to join his duty, but he has not been paid his salary for the period, in question. It appears that the applicant was served with a Memo of Charge-sheet for minor punishment and after considering his reply, the impugned order dated 2.9.98 was passed. The applicant claimed that the Charge-sheet is mala fide and he has not been paid salary for the period, in question, illegally.

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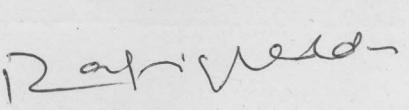
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3. We have heard arguments of Sri Dinesh Pathak for the applicant and Sri K. P. Singh for the respondents.

4. At the outset, it is pertinent to mention that the learned counsel for the applicant has not pressed the relief (a), namely, quashing of the order dated 2.9.98. It is, however, submitted that his representation dated 21.8.99 and subsequent reminder dated 11.1.2001 addressed to the D. R. M. (Personnel) N. E. R. Izzatnagar (Bareilly), Respondent No.2, is still pending for consideration and appropriate orders. The learned counsel for the applicant has, therefore, submitted that the Respondents may be directed to consider his representation and pass appropriate orders within time fixed by the Tribunal. The O.A. is accordingly disposed of with the directions to the Respondent No.2 to consider the aforesaid representation of the applicant and to pass appropriate order regarding claim of the applicant for payment of salary for the period 27.7.1992 to 24.3.1998 only within a period of three months from the date of communication of this order. No order as to costs.



A.M.



J.M.

Nath/