

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

Dated : This the 29th day of OCTOBER 2004.

Original Application no. 1266 of 2004.

Hon'ble Mr. A.K. Bhatnagar, Member J  
Hon'ble Mr. S.C. Chaube, Member A

Malik Nasim Ahmad, S/o Sri Abdul Hamid,  
R/o T-42-D, North Colony (Railway) Double Story  
near Manokamna Mandir, Moradabad U.P.  
presently working as Chief Controller, Northern Railway,  
MORADABAD.

... Applicant

By Adv : Sri R.C. Pathak

V E R S U S

1. Union of India, through the General Manager, Northern Rly., Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly., Moradabad.
3. Senior Divisional Personnel Officer, N. Rly., Moradabad.
4. Senior Divisional Operating Manager, Northern Railway, Moradabad.

... Respondents

By Adv : Sri A.K. Gaur

O R D E R

By A.K. Bhatnagar, JM

By this O.A., filed under Section 19 of the A.T. Act, 1985, the applicant has prayed for a direction to

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respondent no. 2 to grant to the applicant in post facto promotion alongwith post fact pay and allowances with arrears and interest from the period 27.12.1997 to 25.07.2002 alongwith 18% interest.

2. The grievance of the applicant is that he has worked on the post of Chief Controller (Operations) in the respondent's establishment w.e.f. 27.12.1997 to 25.07.2002 but he has not been paid allowances as per rules, as already given in the case of Sri H.B. Singh vide letter dated 07.11.2003 issued by the General Manager (P) to Divisional Railway Manager, N. Rly., Moradabad (Ann A1). Learned counsel for the applicant submitted that the applicant has filed a representation dated 01.12.2003 (Ann A2) before the Competent Authority, which is still pending. He has submitted that the applicant will be satisfied if his representation dated 1.12.2003 is decided by the respondent no. 2 within a specified period as per rules.

3. Learned counsel for the respondents submitted that the OA is barred by the period of limitation as it is filed after seven years from the cause of action.

4. We have heard learned counsel for the parties, considered their submission and perused the record.

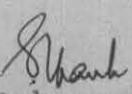
5. In view of the above, we direct the respondent no. 2 to decide the representation of the applicant dated 01.12.2003 (Ann A1) by a reasoned and speaking order

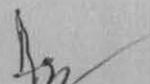
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within a period of three months from the date of receipt  
of copy of this order. <sup>early</sup> To facilitate the decision of  
this case the applicant may file a copy of his representation  
dated 01.12.2003 (Ann A1) alongwith copy of this order.

6. There shall be no order as to costs.

  
Member A

  
Member J

/pc/