

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.1506 OF 2004

ALLAHABAD THIS THE 10TH DAY OF DECEMBER,2004

HON'BLE MRS. MEERA CHHIBBER, MEMBER-3

Sunder Singh,
S/o Sardar Singh,
aged about 43 years,
R/o Village Sadarban,
P.O. Bichpuri, District-Agra.

. Applicant

(By Advocate Shri B.L. Kulendra)

Versus

1. Union of India,
through General Manager,
N.C. Railway, Allahabad.
2. D.R.M. (P),
N.C. Railway, Jhansi.

. Respondents

(By Advocate Shri K.P. Singh)

_O_R_D_E_R_

By this O.A. applicant has sought the following
reliefs:-

- "1) That this Tribunal may graciously be pleased to issue order or direction to the respondents to reinstate the applicant prior to his juniors.
 - 2) issue order or direction to the respondents to intimate the applicant as to where he stands for reinstatement.
 - 3) issue any other order or direction which the Tribunal may deem fit and proper in the interests of Justice."
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2. It is submitted by the applicant that he was working as Hot Weather Waterman upto July 1991 but was not engaged in the year 1992, therefore, he alongwith number of other persons had raised an industrial dispute which was decided on 17.06.1996 by the Labour Court, Kanpur and a direction was given to reinstate all the applicants in service.

3. Copy of the order has been annexed at page 13.

Thereafter all the persons who had filed the case before Labour Court had ^{been} called to give their particulars. Accordingly applicant also gave ^{his} particulars which is evident from page 15 but thereafter respondents have carried out screening, character verification and medical examination ~~of~~ ^{of} his juniors namely Guru Charan S/o Lakhan Lal and Mahesh Chand S/o Laxman Das while ignoring his case totally. Therefore, being aggrieved he gave a representation to the Divisional Railway Manager(P), N.C. Railway, Jhansi on 29.08.2004 (Page 18) but till date he has not been given any reply, therefore, he has no other option but to file the present O.A.

4. Counsel for the respondents was seeking time to file reply but I do not think it necessary to call for counter affidavit at this stage because the representation of applicant has still not been decided by the respondents. It is stated by the applicant that he had given his representation through registered post. It is quite possible that the representation might not have reached in the office of Divisional Railway Manager(P), therefore,



it is felt that the ends of justice would be met if this O.A. itself is directed to be treated as representation and the D.R.M.(P), N.C. Railway, Jhansi is directed to consider the same and pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order under intimation to the applicant. It is ordered accordingly.

5. The O.A. is disposed of at the admission stage itself with no order as to costs.



Member-J

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