

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH**

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Original Application No. 215 of 2004

**Friday, this the 22<sup>nd</sup> day of May, 2009**

**Hon'ble Mr. Ashok S. Karamadi, Member (J)**

Mohd. Aquil S/o Late Sayed Abu Hassan, R/o 187, Himmatganj,  
Allahabad.

**Applicant**

**By Advocates: Sri Z.A. Faruqui**  
**Sri K.N. Katiyar.**

**Vs.**

1. The Union of India through General Manager, North Central Rly. Allahabad.
2. The Chairman, Railway Recruitment Board, Nawab Yusuf Road, Allahabad.
3. The Divisional Railway Manager, North-Central Railway, Allahabad.
4. The Chairman, Railway Board, Ministry of Railways, Govt. of India, New Delhi.

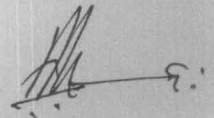
**Respondents**

**By Advocate: Sri Prashant Mathur.**

**ORDER**

**By Ashok S. Karamadi, J.M.**

This application is filed seeking direction to the respondents to grant invalid pension and other pensionary benefits from the date of his incapacitation since 18.05.2001 and other consequential benefits. The applicant, even though, stated in detail in his pleadings with regard to his particulars and the grievances, one of the documents which he has produced as annexure-1 is representation which refers in para-4.12 of the O.A. As the respondents have not considered the request of the applicant hence this O.A. is filed seeking aforesaid relief (s).



2. On notice, the respondents have filed the counter affidavit, in detail, and stated that the applicant is not entitled for the relief (s), and sought for dismissal of the O.A.
3. Heard the learned counsel for the applicant-Sri Z.A. Faruqui, Advocate and Sri Prashant Mathur, learned counsel appearing for the respondents, and also perused the pleadings on record.
4. Learned counsel for the applicant submits that even though the representation of the applicant is pending before the respondents' authority; they have not communicated any order passed during the pendency of this O.A., therefore, request of the applicant, as on today, has not reached finality. Learned counsel for the respondents submits that as the applicant's case does not come under the purview of consideration, therefore, he is not entitled for the relief. However, in their counter affidavit they have not denied para-4.12 of the O.A., in which it is mentioned that the applicant submitted a representation on 04.02.2003 in reference to the letter of Chairman, Railway Recruitment Board, Allahabad. Having regard to the above facts, now learned counsel for the respondents submits that if such a representation, filed by the applicant, is pending, same will be decided by the competent authority in accordance with law.
5. In view of submission made by learned counsel for the parties, it is just and proper to direct the respondents to consider and dispose of the representation of the applicant (annexure A-1) by passing a reasoned and speaking order in accordance with law within a period of two months from the date of receipt of a certified copy of this order. However, the respondents are also directed to treat the O.A. and grounds urged therein, as part of the representation.
6. With the above direction, O.A. stands disposed of. No order as to costs.

  
**Member (J)**