

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALIAHABAD BENCH : ALIAHABAD

Original Application No.25 of 2004
Tuesday, this the 20th day of January, 2004

Hon'ble Mr. A.K.Bhatnagar, J.M.

Vinod Kumar Mishra,
son of Rameshwar Dayal Mishra
resident of Mohalla Jaijairam,
Ram Bali Yadav Colony,
Kasganj, District Etah.

.....Applicant.

(By Advocate : Shri H.M.Srivastava)

Versus

1. Union of India,
through the General Manager,
East Central Railway,
Hajipur (Bihar).
2. General Manager,
East Central Railway,
Hajipur (Bihar).
3. Divisional Railway Manager,
Eastern Central Railway,
Samastipur, (Bihar). Respondents.

(By Advocate : Shri K.P.Singh)

O R D E R

By Hon'ble Mr. A.K.Bhatnagar, J.M. :

By this O.A. filed under Section 19 of A.T. Act,1985,
the applicant has prayed for a direction to provide employment
as per suitable to educational qualification of the applicant
as his father Rameshwar Dayal was Loyal Railway Employee,, and
further prayed for a direction to respondents to consider
and decide the representation dated 19.8.2003 of the applicant.

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2. The case of the applicant, in brief, is that in 1974 there was a general strike of Railway Employees and few percent employee remained on duty. An assurance was given that the dependents of Loyal Railway Employee would be offered suitable employment. Learned counsel for the applicant submitted that the applicant moved an application on 3.3.2003 before the respondents for providing him job as per his qualifications, which is Annexure-I. Vide letter dated 1.8.2003 issued by the office of Divisional Railway Manager (personnel) the applicant was asked to move a detailed representation for taking necessary action by the department. In pursuance to this, the applicant moved a detailed representation on 19.8.2003 to the Competent Authority i.e. Divisional Railway Manager (Personnel), Samastipur, Bihar, which is as per the applicant is still lying undecided by the department.

3. Learned counsel for the respondents prayed for time for filing the counter. In my opinion, it is not necessary to call for counter as it is a fit case to be decided at the admission stage itself. As the respondents vide their letter dated 1.8.2003 have themselves invited a detailed representation to be filed by the applicant so there seems no justification for not deciding the same which was duly filed by the applicant in pursuance to Annexure-II.

4. I have gone through Annexure-II letter dated 1.8.2003 issued from D.R.M. (P) Office, Samastipur to the applicant, by which the applicant was asked to submit his detailed representation for necessary action by the department.

5. After perusing the same, I am of the view that the interest of justice shall better be served if a direction be issued to the Concerned Authority to decide the representation dated 19.8.2003 (Annexure-A-3) to the O.A. by a reasoned and speaking order within a specified time. The O.A. is disposed of at the admission stage itself with direction to Divisional Railway Manager, Eastern Railway, Samastipur, Bihar to decide the representation of the applicant within a period of three months from the date of receipt of a copy of this order by a reasoned and speaking order under intimation to the applicant. No costs.



Member-J

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