

(OPEN COURT)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD

HON'BLE MR. A.K. GAUR, MEMBER (J).  
HON'BLE MR. S.N. Shukla, MEMBER (A).

Original Application Number. 973 OF 2004.

ALLAHABAD this the 07<sup>th</sup> day of August, 2009.

Udai Bhan Dubey son of late Sri Salik Ram Dubey at present working as fitter grade-II under Additional (Mechanical) Engineer District Bareilly.

.....Applicant.

**VERSUS**

1. Union of India through the General Manager N.E. Railway Gorakhpur.
2. The Divisional Railway Manager (Karmik) N.E. Railway Izzat Nagar, Bareilly.
3. The Divisional Engineer (Mechanical) N.E. Railway Izzatnagar Bareilly.

.....Respondents

Advocate for the applicant: Sri O.P. Gupta  
Advocate for the Respondents : Sri K.P. Singh

**ORDER**

(Delivered by Hon'ble Mr. A.K. Gaur, J.M)

Learned counsel for the applicant submitted that the applicant has been discharging the duties of J.E. Gr. II since 1997 but he has not been given arrears of salary for the work done by him.

2. Learned counsel for the respondents on the other hand submitted that no such order has ever been issued to the applicant to work on the said post.

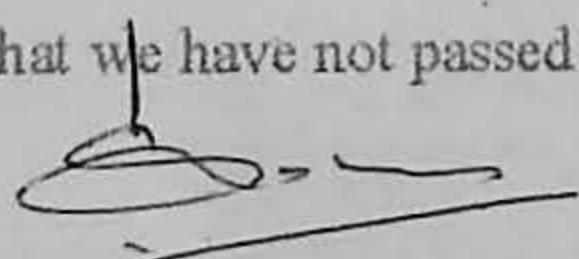
3. Learned counsel for the applicant would further contend that the applicant has already preferred a detailed representation dated 26.12.2000 for redressal of his grievance, which has duly been endorsed o the competent authority certifying the duties discharged by the applicant as J.E. Grade-II.

4. This contention of the applicant has been denied by the learned counsel for the respondents in para 14 of the Counter Reply.

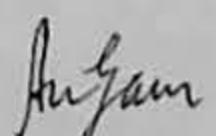
5. We have heard learned counsel for both sides at considerable length. A perusal of para 14 of the Counter Reply clearly indicates that the copy of the said representation dated 26.12.2000 was received by the respondent from the applicant. If that be so, we hereby direct the concerned competent authority to decide the pending representation of the applicant dated 26.12.2000 by a reasoned and speaking order taking into account the aspect as to whether the applicant has discharged the duties of J.E. Gr. II during September 1997 to February 2001 within a period of three months from the date of receipt of certified copy of this order. If it is found that the applicant has actually performed the duties of J.E. Gr. II during the period (referred to above), arrears of salary be paid to him *according to rule*.

6. With the aforesaid observation, the O.A is disposed of finally with no order as to costs.

Be it noted that we have not passed any order on merits of the case.



MEMBER- A.



MEMBER- J.