

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

Original Application No.194 of 2005

Allahabad this the 2nd day of March, 2005

Hon'ble Mr.A.K. Bhatnagar, Member (J)

Sikandar Khan, Adopted Son of Late Mohd. Khan, resident of 116/1 Bahar Orcha Gate, Tehsil and District Jhansi.

Applicant

By Advocate Shri **A.K. Ojha**

Versus

1. Mandal Rail Prabhandak, Uttar Madhya Rail, Jhansi.
2. Union of India through G.M, N.C.R., Allahabad.

Respondents

By Advocate Shri **A.K. Gaur**

By Hon'ble Mr.A.K. Bhatnagar, Member (J)

By this O.A. applicant has prayed for a direction to respondents to appoint the applicant on some suitable post in place of his father under dying in harness rules. He has further prayed for direction to the respondents to decide his representation, which is pending before respondent no.1

2. The brief facts, as per the applicant, are that father of the applicant died on 16.04.2004 while serving as Technician-II Ind Ticket no.929 in the respondents' establishment. The applicant is said to be adopted son of the deceased employee, whose name is also included in the Ration Card of the deceased employee. Learned counsel for the applicant submitted that he has moved a representation before respondent

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no.1 on 01.11.2004, which is still pending undecided, and the applicant will be satisfied if his representation is decided by the respondents by a reasoned and speaking order within the specified period fixed by this Tribunal.

3. After hearing the parties counsel and without going into the merits of the case, I am of the view that this O.A. can be decided at the admission stage itself without calling the counter affidavit by issuing appropriate direction to the competent authority in the respondents' establishment to decide the representation of the applicant.

4. Accordingly, the O.A. is disposed of finally at the admission stage itself by a direction to the respondent no.1-Mandal Rail Prabhandak, Uttar Madhya Railway, Jhansi to decide the representation of the applicant dated 01.11.2004 by a reasoned and speaking order within a period of 3 months from the date of receipt of a copy of this order. No order as to cost.


Member (J)

/M.M. /