

**Open Court**

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH  
ALLAHABAD**

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(THIS THE 3<sup>rd</sup> DAY OF July 2009)

**Hon'ble Mr. A.K. Gaur, Member (J)**  
**Hon'ble Mr. D.C. Lakha, Member (A)**

**Original Application No.278 of 2005**  
(U/S 19, Administrative Tribunal Act, 1985)

Nasim Khan aged about 49 years son of Shri Baboo Khan Resident of Railway Quarter No. K-423/5, S.T.S. Colony Jhansi.

..... **Applicant**

***Versus***

1. Union of India through General Manager, North Central Railway, Allahabad.
2. Divisional Railway Manager, North Central Railway, Jhansi.

..... **Respondents**

Present for Applicant : Shri R.K. Nigam

Present for Respondents : Shri K.P. Singh

**ORDER**

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

Learned counsel for the applicant at the very outset stated that applicant has also preferred a representation dated 16.07.2004 (Annexure-9 to the O.A.) before D.R.M. N.C. Railway Jhansi requesting therein to assign seniority to him in the cadre of Assistant Driver w.e.f. 21.03.1988 as has <sup>been</sup> given to other counter parts. Learned counsel for the applicant further stated that his grievance might be redressed, in case a direction is given to the competent authority to consider and decide the representation of the applicant by reasoned and speaking order within a specified period of time.

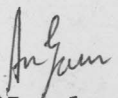
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2. Learned counsel for the respondents stated that O.A. is inordinately time barred and the direction to decide the representation might create anomalous situation.

3. Having heard parties counsel, we hereby direct the Competent authority/Respondent No.2 to consider and pass appropriate reasoned and speaking order on pending representation of the applicant dated 16.07.2004 (Annexure-9 to the O.A.) within a period of three months from the date of the receipt of a certified copy of the order. While deciding the representation of the applicant the O.A. may be treated as a part of the representation.

4. Be it noted that I have not passed any order on merits of the Case. In view of the aforesaid directions the O.A. is disposed of.

  
**Member-A**

  
**Member-J**

//Sushil//