

(7)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.335 of 2005

Allahabad, this the 18th day of July, 2007

Hon'ble Mr. K.S. Menon, Member-A

Mohd. Sabbir, aged about 21 years,  
Son of Late Shri Hussain Bux  
Resident of 19 Outside Sainyer gate,  
Jhanasi.

..Applicant.

(By Advocate : Shri R.K. Nigam)

Versus

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

...Respondents.

(By Advocate : Shri G. Chaudhary)

O R D E R

As per order dated 28.8.2006, the respondents' counsel requested to place on record the copy of the rejection order referred in para 19 of the counter affidavit. Counsel for the respondents has submitted supplementary counter, in which the order of rejection ~~has~~ passed by the D.R.M., N.C. Railway, Jhanasi, has been placed on record, which is Annexure-CA-3.

2. Counsel for the applicant, however, submitted that the matter has to be decided by General Manager, N.C. Railway, who is competent authority and it is also been observed the representation of the applicant has not been forwarded to

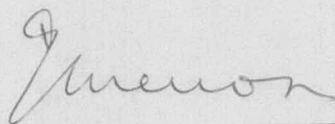
General Manger, N.C. Railway, as evident from the rejection order passed by him.

3. The respondent No.2 is directed to forward the representation of the applicant dated 24.11.1997 to the General Manager, N.C. Railway. At this point learned counsel for the respondents made judiciary submissions that the copy of representation dated 24.11.1997 is not available with the respondent No.2. He further submitted that copy of representation dated 27.8.2003 is available with the D.R.M., N.C. Railway.

4. The respondent No.2 i.e. D.R.M., is therefore, directed to forward the representation of the applicant dated 27.8.2003 to the General Manager within a period of two weeks. In case the representation of the applicant dated 24.11.1997 addressed to Railway Minister and copy indorsed to D.R.M. is available, the D.R.M. may also be forwarded the same alongwith the representation dated 27.8.2003.

5. The General Manager, N.C. Railway is directed to dispose of the representation of the applicant by a reasoned and speaking order within a period of four weeks.

6. The OA is accordingly disposed of with no order as to costs.

  
Member-A