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Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Original Application No.356 of 2005.

Allahabad, this the 4th day of April, 2005.

Hon'ble Mr. D.R. Tiwari, A.M.

Suraj Pal,
S/o Sri Bihar,
Helper/Khalasi,
R/o Village and Post
Guwara Tayyabpur,
District - Kaushambi.

....Applicant.

(By Advocate : Shri D.P. Mishra)

Versus

1. Union of India,
through its Secretary,
Ministry of Railway,
New Delhi.
2. Senior Section Engineer,
(Sig.) R.R.I, Juhi,
N.C.R., Kanpur.
3. Senior Personal Officer,
N.C.R., Allahabad.

....Respondents.

(By Advocate : Shri A.K. Gaur)

O R D E R

Heard learned counsel for the parties.

2. The present O.A. has been filed under Section 19 of A.T. Act, 1985, for quashing of the impugned order dated 10.01.2005 (Annexure-A-I). The applicant has further prayed for issuance of direction to respondent No.2 to consider and decide the representation dated 8.2.2005.

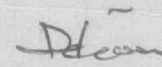
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3. The case of the applicant is that he was appointed as Class IV employee on 22.8.1979 in the Railway. He was tested medically and was declared medically unfit vide order dated 27.3.2001 of the D.R.M., Allahabad. Since that time the applicant was waiting for posting. Now the order again passed for his posting to D.R.M., Allahabad. The applicant left ~~that~~ ^{for 12/12/06} only two years and one month service before his supernuate in May 2007.

4. Learned counsel for the applicant submitted that he has filed a representation for cancelling the posting order to Allahabad and that is still pending with the respondents. Under the circumstances, I feel the ends of justice will be met if the Competent Authority is directed to consider and decide the representation of the applicant by a reasoned and speaking order within a stipulated period of time.

5. Under the circumstances, the OA is finally disposed of with a direction to respondent No.3 to consider and decide the representation of the applicant by a reasoned and speaking order to be passed and communicated to the applicant within a period of one month from the date of receipt of copy of this order. Untill the representation is decided, it is also provided that the operation of the order dated 10.1.2005 will be kept in abeyance. No costs.


Member-A

RKM/