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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 08th day of JULY 2005.

Original Application No. 717 of 2005.

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

Md. Hassain, S/o Bafati,
R/o 1063 Shastri Colony,
MUGHALSARAI (Distt : Chandauli)

.....Applicant

By Adv : Sri S.K. Dey, Sri S.K. Mishra

V E R S U S

1. Union of India through the General Manager,
N.C.Railway,
ALLAHABAD.
2. The Divisional Railway Manager,
N.C.Railway,
ALLAHABAD.
3. The Divisional Personnel Officer,
N.C.Railway,
ALLAHABAD.

.....Respondents

By Adv Sri A.K. Gaur.

O R D E R

By A.K. Bhatnagar, JM

By this OA, filed under Section 19 of the A.T. Act, 1985, the applicant has prayed for the direction to the respondents to provide suitable alternative job of equivalent grade.

2. The applicant is aggrieved by the order dated 14.12.2004 (Annexure A4) by which the category of the applicant has been changed from the post of

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Electrical Cleaner (CTFOLR), Mughalsarai to the post of Safaiwala under Station Superintendent, Chunab.

3. Learned counsel for the applicant submitted that the applicant had earlier submitted a representation dated 29.1.2005 (Annexure A5) before the D.R.M. N.C. Railway, Allahabad, which was also duly forwarded by Senior Crew Controller to D.R.M. (P), Allahabad vide letter dated 01.02.2005 (Annexure 6) but no action has so far been taken by the respondents. Therefore, he again submitted a detailed representation on 01.06.2005 (Annexure A9) to D.R.M. N.C. Railway, Allahabad, which is still pending for decision before the same. He further submitted that the applicant will be satisfied if his representation is considered and decided by the Competent Authority by a reasoned and speaking order within a specified time. Therefore, we are of the view that this OA can be finally decided without calling for CA.

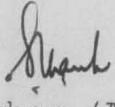
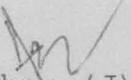
4. After hearing the learned counsel for the parties and without going into the merit of the case, we find that the interest of justice shall be better served if the representation of the applicant dated 01.06.2005 is decided by the respondents within stipulated period.

5. Accordingly, the OA is finally disposed of at the admission stage itself by issuing a direction to

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the D.R.M. N.C. Railway, Allahabad (Respondent No. 2) to decide the representation of the applicant dated 01.06.2005 by a reasoned and speaking order within a period of three months from the date of receipt of copy of this order. To facilitate an early decision in the matter the applicant may file copy of his representation dated 01.06.2005 alongwith copy of this order.

6. There shall be no order as to costs.


Member (A)
Member (J)

/pc/