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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
THIS THE 5th DAY OF OCTOBER, 2005
Original Application No. 1041 of 2005

CORAM:

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

Anokhey Lal, son of late Jangi Singh
R/o village Nagala Naraini, Post
Paigu, district Firozabad. .. Applicant

(By Adv: Shri Shyamji Gaur)

Versus

1. Union of India through General Manager,
North Central Railway, Allahabad.
2. The Divisional Rail Manager,
North Central Railway, Allahabad.
3. The Asstt. Chief Engineer, NCR, Firozabad
4. The Section Engineer (P.W.), North
Central Railway, Mainpuri
5. The Chief Medical Inspector,
North central railway, Aligarh .. Respondents

(By Adv: Shri A.K. Gaur)

ORDER

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

By this OA the applicant has sought a direction for quashing the impugned order dated 29.5.2005 passed by the Section Engineer (P.W.), North Central Railway, Mainpuri and to direct the respondents to make payment of salary w.e.f. June 2005 till date. According to applicant he was appointed as Gang Man on 15.6.1978 in the Department of Railway and after few years of his excellent services he was posted as Gate-Man and was confirmed and made permanent. By order dated 29.5.05 the applicant was spared after being medically decategorised as some defect was found in the right eye of the applicant. The grievance of the applicant is that he is being reverted from the post of Gate Man to Safaiwala vide the aforesaid letter and the same has been passed without giving him any opportunity of hearing or

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show cause notice. At this stage the learned counsel for the applicant submitted that the applicant will be satisfied if he is allowed to file a fresh representation and the same is decided by the Competent Authority as per rules. After hearing the counsel for the parties, we deem it proper to dispose of the original application at the admission stage by issuing appropriate directions.

Accordingly, the Original application is disposed of by giving a liberty to the applicant to file a self contained detailed representation against his grievance to the respondents within 15 days from the date of receipt of the copy of this order with a further direction to the Competent Authority to decide the same by a reasoned and speaking order within a period of three months from the date of receipt of such a representation so filed by the applicant alongwith a copy of order of this court.


MEMBER(A)
MEMBER(J)

Dated: 05.10.05
Uv/