

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD**

**HON'BLE MR.A.K. GAUR , MEMBER (J).  
HON'BLE MR. S.N. SHUKLA, MEMBER (A)**

Original Application Number. 1056 OF 2005.

ALLAHABAD this the 20<sup>th</sup> day of **January, 2009.**

Heeralal, aged about 56 years, Son of Shri Mool Chand, resident of village Hassari- District- Jhansi.

.....Applicant.

**VE R S U S**

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

.....Respondents

Advocate for the applicant: Sri R.K. Nigam

Advocate for the Respondents : Sri P. Mathur

**O R D E R**

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

The applicant, through this O.A has prayed for quashing the impugned order dated 27.05.2005 (Annexure A-I of O.A) coupled with prayer for a direction to the respondents to promote the applicant as Master Craftsman grade Rs. 1400-2300 from retrospective effect i.e. 01.01.1994 and other relief(s) .

2. Learned counsel for the applicant at the very out set ~~has~~ submitted that the order dated 27.05.2005 passed by the competent authority is not reasoned and speaking order.

3. Learned counsel for the respondents on the other hand submitted that the case of the applicant is time barred and no explanation whatsoever has been given.

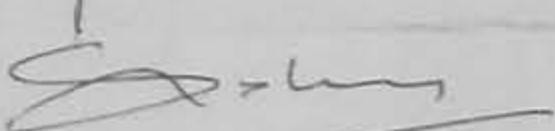
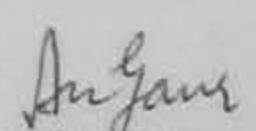
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4. Having heard learned counsel for the party, *prima facie* we find that the order dated 27.05.2005 passed by the competent authority is not speaking as it has not been decided in accordance with the decision of Hon'ble Supreme Court in the case of **Ram Chandra 1986 SCC (L&S) 383**.

5. Accordingly we set aside the order dated 27.05.2005 (Annexure A-I of O.A). The applicant is directed to file a certified copy of this order alongwith complete copy of the O.A (with all annexures) and additional representation, if so advised, within two weeks from today before the concerned Authority and the said authority shall consider and decide the same afresh by a reasoned and speaking order meeting all the contentions raised by the applicant in his O.A as well as in additional representation, within a period of three months on receipt of certified copy of the order, as contemplated above, in accordance with law and relevant rules on the subject (as referred above) and communicate the decision to the applicant.

6. With the aforesaid directions, the O.A is disposed of finally with no order as to costs.

Be noted that I have not passed any order on merits of the case.

  
MEMBER- A.  
MEMBER- J.

/Anand/