

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No.03/2021 with MA No.02/2021

This the 13th day of January, 2021

**CORAM : Hon'ble Shri Jayesh V. Bhairavia, Member (J)
Hon'ble Dr. A.K.Dubey, Member (A)**

Shri Dinesh
S/o. Bhagwanjibhai Talshibhai Dholakia
Age : 62 years, Occupation : Retired
Residing at Shri Nathji Park-3, ST. No.2,
Rail Nagar Road, Above Popatpara,
Rajkot 360 006.Applicant
(By Advocate : Ms. K.L.Kalwani)

VERSUS

1. Union of India
Owing and Representing Western Railway
Through : The General Manager
Western Railway, Churchgate,
Mumbai 400 020.
2. Sr. Divisional Mechanical Engineer
Western Railway, Kothi Compound,
Rajkot 360 001.
3. Ms. Pushpa Jayesh Dodia
Working as MCF TL/AC
Electrical Department
Western Railway, Happa Railway Station
Happa (District : Jamnagar)
4. Sandeep R. Solanki
Working as MCF TL/AC
Electrical Department
Western Railway, Okha Railway Station
Okha (District : Dwarka) Respondents.

ORDER – ORAL

Per : Hon'ble Shri J.V. Bhairavia, Member (J)

Heard Ms. K.L.Kalwani, counsel for the applicant.

2. For the reasons and grounds stated in the MA No.02/2021 for condonation of delay, the same is allowed.
3. In the instant OA, counsel for the applicant submits that the applicant retired on 30.6.2019 on attaining the age of superannuation, as FT/Grade-I in Electric Department under the respondent No.2. After his retirement, he came to know that his juniors were granted promotion with retrospective effect to the post of MCF. Therefore, he has submitted representation dated 09.10.2020 (Annexure A-4) before the DME (Electrical) (E) Rajkot.
4. Counsel for the applicant submits that admittedly, the applicant is senior to the respondent Nos.3 & 4 who had been granted promotion. Hence, his case is required to be considered by the respondents. Counsel for the applicant fairly submits that representation of the applicant dated 09.10.2020 is yet not decided by the concerned authority i.e. respondent No.2.
5. After arguing for some time, counsel for the applicant submits that the applicant will be satisfied, if appropriate direction be issued to the respondent No.2 to decide the pending representation of the applicant expeditiously.
6. Considering the aforesaid submissions, without expressing any opinion on the merits of the OA, we dispose of the same at admission stage itself with a direction to the respondents to consider and decide the pending representation dated 09.10.2020 in the light of available

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service record of the applicant at the earliest since the applicant is stated to be retired.

7. Accordingly, the OA stands disposed of. No order as to costs.

8. Registry is directed to send copy of this order to the counsel for the applicant through email.

(A.K.Dubey)
Member (A)

(J.V.Bhairavia)
Member (J)

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