

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD

(This the 14th Day of September, 2021)

Hon'ble Mr. Pratima K. Gupta, Member (Judicial)

Original Application No.330/00697/2021

1. Aziz Ahmad aged about 61 years, son of Late Sageer Ahmad R/o A-3 Deen Dayal Nagar, Nandanpura, Jhansi.
2. Pradeep Kumar son of Late Nanak Chand R/o 18, Bodhraj Sahney Colony, Jhansi.
3. Vishnu Pratap Singh son of Late Gulab Singh R/o 317/8/1 Nanak Ganj, Sipri Bazar Jhansi.

..... **Applicants**

By Advocates: Shri S.M. Ali

Versus

1. The Union of India through General Manager Head Quarter North Central Railway, Jhansi.
2. Divisional Railway Manager (P), North Central Railway, Jhansi.
3. Senior Divisional Finance Manager, North Central Railway, Jhansi.

..... **Respondents**

By Advocate: Shri Shesh Mani Mishra

O R D E R

Shri S.M. Ali, learned counsel for the applicants and Shri Shesh Mani Mishra, learned counsel for the respondents are present.

2. By means of this O.A. filed under Section 19 of the A.T. Act, the applicants have claimed following main relief/s :-

- “(i) *to issue order and direction to the respondents for restore the withdrawn increment and to refund the recovered amount along with 12% interest with all other consequential benefits.*
- “(ii) *to issue order and direction to the respondents for deciding the pending representations of the applicants as deem fit in the facts and circumstances of the case.*

(iii) *to issue order or direction to the competent authority of the respondents to grant any such and further order as deem fit in the facts and circumstances of the case.*

(iv) *Award the cost of the original application.”*

3. Learned counsel for the applicants submitted that applicants for redressal of their grievance had filed a representation 02.03.2015 (Annexure A-7 to the OA) followed by reminders dated 27.08.2018, 08.10.2018 and lastly on 17.01.2019 before the respondents but the respondents have not taken any decision on their representation till today.

4. Learned counsel for the applicants further submitted that the applicants will be satisfied at this stage, if the competent authority amongst the respondents is directed to take a decision on their representation dated 02.03.2015 and to decide the same by a reasoned and speaking order, in time bound manner.

5. On the other hand, learned counsel for the respondents raised preliminary objection and submitted that the matter his highly time barred and it may be dismissed on the ground of limitation.

6. Heard learned counsel for both the parties and perused the record.

7. In view of the submissions made by counsel for the parties, I am of the view that no fruitful purpose will be served to keep this OA pending and matter can be resolved by taking a decision on the

pending representation of the applicant. Hence, without commenting anything on the merits of the case, the present O.A. is disposed off at the admission stage with direction to Competent Authority amongst the respondents to decide the pending representation of the applicants dated 02.03.2015 (Annexure A-7 to the OA) followed by reminders dated 27.08.2018, 08.10.2018 and lastly on 17.01.2019 by passing a reasoned and speaking order within a period of three months from the date of receipt of a certified copy of this order and communicate the decision to the applicants in writing.

8. It is made clear that the Tribunal has not expressed any opinion on the merits of the case.

9. There shall be no order as to costs.

(Pratima K. Gupta)
Member (J)

Sushil