

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

ORIGINAL APPLICATION NO.170/00288/2021

DATED THIS THE 27th DAY OF APRIL, 2021

CORAM:

HON'BLE JUSTICE VIJAY LAKSHMI, MEMBER (J)

(On video conference from Central Administrative Tribunal, Allahabad Bench at Allahabad)

HON'BLE SHRI RAKESH KUMAR GUPTA, MEMBER (A)

(On video conference from Central Administrative Tribunal, Bangalore Bench at Bangalore)

1. M.R.Jagannatha
S/o Late M.G.Ranganath
Aged 53 years
Office Superintendent
O/o Sr.Divisional Signal & Telecommunication Engineer
S.W.Railway, Bengaluru
R/o #325, EWS, 2nd Stage, 2nd Main
KHB Colony, Basaveshwara Nagara
Bengaluru-560079.
 2. Ateeq Ur Rahman
S/o Late Nizar Ahmad
Aged 51 years
Sr.Technician/Telecommunications
S.W.Railway, Yeshwanthapur
Bengaluru-560022.
R/o #55, Behind KEB Colony, 3rd Cross
Udayagiri, Mysuru-570019.
-Applicants

(By Advocate Shri K.Shivakumar - through video conference)

Vs.

1. Union of India, Rep. by
General Manager

South Western Railway
Rail Soudha, Gadag Road
Hubballi-580020.

2. Senior Divisional Personnel Officer
S.W.Railway Bengaluru-560023.

.....Respondents

O R D E R (ORAL)

PER: RAKESH KUMAR GUPTA, MEMBER (J)

We have joined this Division Bench online through Video Conferencing.

2. The present Original Application has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:

- i. Direct the respondents to relieve the applicants forthwith to join the post in Ticket Checking cadre further to the issue of orders dated 31.12.2020(Annexure-A2) and 21.01.2021 (Annexure-A3); and
- ii. Grant any other relief or reliefs as deemed fit and proper in the interest of justice and equity.

3. At the very outset, Shri K.Shivakumar, learned counsel representing the applicants submitted that before filing the present Original Application, the applicants had submitted representations dated 22.03.2021 and 09.04.2021 on which no decision has been taken by the respondents.

4. He further submitted that the applicants will be satisfied if a direction is issued to the respondents to decide those pending representations within a time frame.

5. Keeping in view the aforestated limited prayer made by learned counsel for the applicants, we deem it appropriate to dispose of the present Original Application at the admission stage itself without entering into the merits of the case.

6. Accordingly, the Original Application is disposed of with a direction to the Senior Divisional Personnel Officer, South Western Railway, Bengaluru to decide the applicants' pending representations dated 22.03.2021 and 09.04.2021 (Annexure-A4) and pass a reasoned and speaking order in accordance with law. Before taking such a decision, the applicants shall also be afforded opportunity of hearing. The whole exercise shall be undertaken within a period of one(1) month from the date of receipt of a certified copy of this order.

7. The OA stands disposed of in the above terms. However, there shall be no order as to costs.

8. Hon'ble Smt. Justice Vijay Lakshmi, Member (Judicial) has consented to this order.

(RAKESH KUMAR GUPTA)
MEMBER (A)

(JUSTICE VIJAY LAKSHMI)
MEMBER (J)

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