

CENTRAL ADMINISTRATIVE TRIBUNAL

CHANDIGARH BENCH

Hearing by Video Conferencing

O.A. No. 060/849/2021

CHANDIGARH, THIS THE 12TH DAY OF AUGUST, 2021

CORAM:

HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)

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

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

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

1. Avneesh Kumar
Aged 41 years,
S/o Sh. Mahipal Singh,
Vill. Toli, PO Phandpuri,
Distt. Saharanpur (UP)
Pin 247001

2. Lalit Yadav
Aged 32 years
S/o Sh. Jagdish, A-21,
Shiv Vihar Colony, Khatipura,
Jaipur, Rajasthan 302012

....Applicants

(By Advocate Shri Karnail Singh)

VERSUS

1. Union of India
Through General Manager,
Northern Railway,
Baroda House, New Delhi 110 001

2. Divisional Railway Manager,
DRM Office Complex,
Northern Railway, Ambala Cantt 133 001

3. Sr. Divisional Personnel Officer,
 DRM Office Complex, Northern Railway,
 Ambala Cantt 133 001

....Respondents

ORDER (ORAL)

PER: SURESH KUMAR MONGA, MEMBER (J)

The present Original Application has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 making therein a prayer for quashing of the order dated 20.07.2021 (Annexure A1) wherein, according to learned counsel for the applicant, a wrong criteria of eligibility for selection to the post of Clerk-cum-Typist has been laid down.

2. Learned counsel for the applicant submitted that the applicants approached the Respondent No. 3 through Single Window system for submission of their applications pursuant to circular dated 20.07.2021. However, their applications were not accepted on the ground of ineligibility.

3. Aggrieved by the said action, the applicants submitted a representation dated 31.07.2021. The respondents have not even taken a decision over the said representation. Argument of learned counsel for the applicants is that the applicants have a right to have considered their representation. Learned counsel further stated that the applicants will be satisfied if the present Original Application is disposed of with a direction to respondents to take a decision over their representation within a timeframe.

4. Keeping in view the aforesaid 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.

5. Accordingly, the Original Application is disposed of with a direction to Senior Divisional Personnel Officer, Northern Railway, Ambala Cantt to decide the applicants' representation dated 31.07.2021 (Annexure A4) and pass a reasoned and speaking order in accordance with law. Before taking such a decision, the applicants shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of one month from the date of receipt of a certified copy of this order.

6. Ordered accordingly.

7. However, there shall be no orders so as to costs.

(RAKESH KUMAR GUPTA)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)

/ksk/