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CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS the 2nd DAY OF NOVEMBER, 2000

Original Application No.1219 of 2000

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.S.BISWAS, MEMBER(A)

Ravindra Nath Mishra, S/o Late Shri Bhawani  
Ram Mishra, R/o 214-D, Baulia Railway Colony  
N.E.Railway, Gorakhpur.

... Applicant

(By Adv: Shri Bashist Tiwari)

Versus

1. General Manager(P), N.E.Railway  
Gorakhpur.
2. Divisional Rail Manager(P)  
N.E.Railway, Ashok Marg, Lucknow.
3. union of India through the Secretary  
Ministry of Railways, Government  
of India, at New Delhi.

... Respondents

O R D E R(Oral)

(By Hon.Mr.Justice R.R.K.Trivedi,V.C.)

This application u/s 19 of the A.T.Act 1985 has been filed challenging the order dated 23.6.2000 passed by the General Manager(P) North Eastern Railway, Gorakhpur. By the impugned order the respondent no.1 has directed to recover penal rent for occupying railway quarter No.590-I, Gorakhpur for the period 22.2.1990 to march, 1991 i.e. for 14 months. Against the impugned order applicant has already filed a representation on 3.7.2000 before the Minister of State for Railways. In our opinion, the applicant should have approached the Railway board before coming to this Tribunal for the grievance against the impugned order.

For the reasons stated above, we dispose of this application

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finally with the liberty to the applicant to make a representation before the Railway Board against the order dated 23.6.2000. Shri Bashist Tiwari states that the representation shall be filed within two weeks. The representation if so filed, shall be considered and decided by the Railway Board or by such Authority nominated by the Board which may be competent to decide within a period of one month from the date a copy of this order is filed. It shall also be open to the applicant to make a request to the stay of recovery of the amount in pursuance of the impugned order which shall be considered within a week from the date of representation. No order as to costs.

*S. Basist*  
MEMBER (A)

*L. S. T.*  
VICE CHAIRMAN

Dated: 02.11.2000

Uv/