

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 13TH DAY OF JULY, 2000

Original Application No.128 of 2000

CORAM:

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

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

Ghanshyam, s/o Shri gole,
R/oChinor Road, Darshan Colony,
Dabra Gwalior(M.P.), at present
working as Diesel Cleaner No.746
in the office of Locoforeman(Diesel)
Central Railway, Jhansi.

..... Applicant

(By Adv: shri T.C.Sharma)

Versus

1. The Union of India through the Secretary
Ministry of Railways, new Delhi.
2. The Senior Section Engineer(Diesel)
Locoshed, Central Railway, Jhansi/
Loco Foreman (Diesel), Central railway
Jhansi.
3. The Divisional Railway Manager,
Central Railway, Jhansi.
4. The Divisional Technical Engineer(Diesel),
Central Railway, Jhansi.

.... Respondents

(By Adv: Shri D.C.Saxena/K.P.Singh)


O R D E R(Oral)

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

This OA has been filed for the relief that respondents may be directed to permit the applicant to join his duty as Diesel Cleaner. It has also been prayed that he may be treated in service during the period 9.12.1993 to 18.10.1998. It appears that the applicant remained absent from duty from 9.12.93 onward. After long time he appeared and requested for permission to join. For this purpose he made an application on 9.10.98. He also gave reminder on 8.8.99 to the Divisional Railway Manager, Central Railway, Jhansi. It appears that on

...p2

these representations made by the applicant no order has been passed by the concerned authority. The case of the applicant is that he was absent from duty on account of mental ailment and he was incapable of discharging his duties. Such a factual controversy may be examined more appropriately by the authorities while deciding the representation of the applicant. Considering this aspect we dispose of this OA finally at admission stage with a direction that representations of applicant dated 19.10.98 and 8.8.99 shall be considered and decided in accordance with law by a reasoned order within three months from the date the copy of this order is filed before the appropriate Authority.


MEMBER(A)


VICE CHAIRMAN

Dated: 13.7.2000

Uv/