

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

ORIGINAL APPLICATION NUMBER 352 OF 2000

ALLAHABAD, THIS THE 30<sup>TH</sup> DAY OF MARCH 2005

HON'BLE MR. JUSTICE S. R. SINGH, VICE-CHAIRMAN  
HON'BLE MR. S. C. CHAUBE, MEMBER (A)

Prabhakar Singh,  
Son of Late Rajendra Singh,  
Resident of 108 A.B. Loco Colony,  
Xth Avenue Allahabad.

..... Applicant

(By Advocate : Shri S. Hasnain)

V E R S U S

1. Union of India through General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.
2. Divisional Railway Manager,  
Northern Railway,  
Allahabad.
3. Divisional Sports Officer,  
Northern Railway,  
Allahabad.

..... Respondents

(By Advocate: Sri A. K. Gaur)

O R D E R

By Hon'ble Mr. Justice S. R. Singh, Vice-Chairman

This O.A. has been instituted for the following  
reliefs:

- (i) This Hon'ble Tribunal may be pleased to direct  
the respondents to allow the petitioner to work

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as Khalasi ignoring oral termination dated 16.02.2000.

- (ii) This Hon'ble Court may be further pleased to direct the respondents to treat the applicant in active service since 13.05.1997 and to pay back wages along with interest at market rate and other consequential benefits.
- (iii) Any other order or direction which the Hon'ble Tribunal may deem fit and proper in the circumstances of the case be issued in favour of the applicant.
- (iv) Cost of the application may be awarded in favour of the applicant.

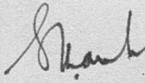
2. The case of the applicant is that he was appointed as Khalasi under sports quota but his services were orally terminated on 16.02.2000. Accordingly the applicant has prayed for quashing of the oral termination dated 16.02.2000 and for issuance of a direction to the respondents to treat him in service since 13.05.1997. The case of the respondents on the other hand that the applicant being a ward of the Railway employee employed included in the divisional team. He was however, never issued any identity card from the Sports Cell.

4. The applicant has, however, placed reliance on letter dated 01.09.1997 issued by Divisional Sports Officer, Northern Railway, Allahabad to Sports Officer, Northern Railway, Bikaner forwarding the list of Allahabad Division Players which indicates that the name of the applicant is at serial No.14. The applicant has also placed reliance on Identity Card No.18983 issued on 21.07.1997. In the said Identity Card, which was valid up to 31.12.1998, the applicant's designation has mentioned as "Khalasi".

Par J

5. Having heard counsel for the parties and upon regard being had to the disputed question of fact involved in the case, we are of the view that it would ~~be~~ meet the ends of justice if this O.A. is disposed of with direction to the applicant to file a comprehensive representation before the competent authority annexing thereto the related documents in support of his case before the respondent No.2 who shall on receipt of the representation consider ~~and~~ and disposed ~~of~~ it of by means of a reasoned and speaking order within a period of 3 months from the date of receipt of the representation along with the copy of this order and relevant documents.

6. The Original Application is disposed of accordingly in terms of the above directions. No costs.

  
Member (A)

  
Vice-Chairman

Shukla/-