

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD.

original Application No. 1292 of 2002.

Monday, this the 16th day of December, 2002.

Hon'ble Mr. S Dayal, Member-A.

Hon'ble Mr. A.K. Bhatnagar, Member-J.

Sri Nami Chand
aged about 48 years,
s/o Sri Late Roshan Lal Chaturvedi,
R/o Shushil Nagar Post Yamuna Bridge,
Agra, at present 11/T/C East Bank
Railway Colony, Yamuna Bridge,
Agra.

.....Applicant.

(By Advocate: In-person)

Versus.

1. Union of India
through the General Manager,
Western Railway, Churchgate,
Mumbai, Maharashtra.
2. Divisional Safety Officer,
Western Railway, Kota Division,
Rajasthan.
3. Station Superintendent
Yamuna Bridge Agra, Railway
Station Agra, Western Railway,
Kota Division, Rajasthan.

.....Respondents.

(By Advocate: Sri A.K. Gaur)

O R D E R

BY HON'BLE MR. A.K. BHATNAGAR, MEMBER -J.

By this O.A. the applicant has sought a direction to the respondents to provide the copy of the impugned removal order and other relevant papers to the applicant for filing the departmental appeal.

2. The brief facts giving rise to this O.A. are that applicant was initially appointed as Platform Porter in the year 1988. It is further claimed that applicant was posted at Agra, East Bank, Yamuna Bridge, Railway Station, Agra by respondent No.-3. It is also claimed that applicant was not allowed to perform his duties and the applicant was

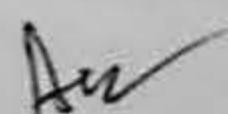
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shown absent till 09.09.1995 without any reason.

2. The applicant states that he joined his duties on 10.10.1995 at 14.00 hours in Agra East Bank Yard and he was informed on 12.09.1995 by the Yard Master East Bank that he would not be permitted to join his duties on account of the transfer and no transfer order was given to the applicant. Feeling aggrieved, the applicant filed a suit no.1029 of 1995 Nemi Chand vs. Station Superintendent, Yamuna Bridge, Agra and others in the Court of Civil Judge (Junior Division), Agra, which was dismissed in default on 19.12.1998.

4. It is also claimed that services of the applicant terminated and he was informed by someone from station. No order in writing was issued by the respondents to that effect. However, without going into the merits of the case, in our opinion, the interest of justice will be better served if the representation, which is moved afresh by the applicant, is decided by the respondents within stipulated period. The applicant may file a fresh representation to the respondent No.2 within one month and the same shall be decided by the respondent No.2 with a reasoned and speaking order within 3 months from the receipt of a copy of this order. The O.A. is accordingly disposed off.

5. There shall be no order as to costs.



MEMBER (J)



MEMBER (A)

shukla/-