

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD
BENCH ALLAHABAD**

(THIS THE 11th DAY OF NOVEMBER, 2009)

PRESENT

HON'BLE MR. JUSTICE A. K. YOG, MEMBER (J)
HON'BLE MR. D. C. LAKHA, MEMBER (A)

ORIGINAL APPLICATION NO. 705 of 2002
(Under Section 19, Administrative Tribunal Act, 1985)

Smt. Geeta Chaurasia W/o Sri Ashok Kumar, working as Nursing Sister Cancer Sansthan, North East Railway, Varanasi, R/o C-33/233-P Chandua Chitupur, near N.E. Railway, Medical Colony, Varanasi.

..... **Applicant.**

By Advocate : Shri T.S. Pandey
Shri S.K. Mishra

V E R S U S

1. The Union of India through General Manager, North Eastern Railway, Gorakhpur.
2. The Divisional Railway Manager (Personal), N.E. Railway, Varanasi.
3. The Chief Medical Director, N.E. Railway, Gorakhpur.
4. The Chairman, Railway Board (Ministry of Railway) Rail Bhawan, New Delhi.
5. The Director, Indian Railways Cancer Institute and Research Centre at Varanasi.
6. The General Manager (P)/C.P.O./N.E.R, Gorakhpur.

..... **Respondents**

By Advocate : Shri K.P. Singh

By

ORDER

Delivered by Hon'ble Mr. Justice A.K. Yog, Member-J :

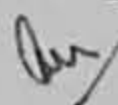
Heard Shri T.S. Pandey, Advocate for the applicant and Shri K.P. Singh, Advocate representing for the respondents.

2. Learned counsel for the applicant is unable to satisfy us as to how 'subsequent' cause of action could be incorporated in the present OA which require pleadings on facts and documents of original record with respondents to be perused. Be that as it may each and every grievance of the applicant in this O.A (originally and by amendment} should be adjudicated by the Respondents authorities.

3. Perusal of the record shows that the applicant was working in the Cancer Unit which is independent Hospital. According to the respondents combined seniority list has been prepared. This submissions require factual aspects to be adjudicated in this case.

4. In view of the above, we direct the applicant to raise his grievance by filing parawise representation before Respondent No.4, who shall himself or through another competent authority/Officer, get said representation decided as indicated hereinafter.

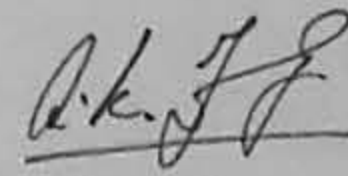
5. Consequently, we direct the applicant to file parawise representation alongwith certified copy of this order as well as copy of this OA (both compilation I & II) before Respondent No.4 within six weeks from today and the said authority/Respondent No.4 shall provided said representation is filed within the stipulated period (as above), ensure decision on the said representation by passing a



reasoned and speaking order in accordance with law within a period of three months from the date of receipt of copy of this order. The decision taken shall be communicated to the applicant forthwith.

6. With the above directions, this OA stands disposed of. No costs.


Member-A


Member-J

RKM/