

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH ; ALLAHABAD

ORIGINAL APPLICATION NO. 867/02

THURSDAY, THIS THE 2ND DAY OF JANUARY 2002

HON. MRS. MEERA CHHIBBER, MEMBER(J)

Harilal Prasad
s/o Sri Gun Raj Prasad,
r/o Village and Post Bankata Ameethia,
District Deoria, at present working
on the post of Assistant Station Master
Lar Road, (Deoria) Varanasi.Applicant.

(By Advocate:-Sh. A.K.Sinha and A.N.Mishra)

Versus

1. Union of India through the General Manager
Northern Eastern Railway, Gorakhpur.

2. Divisional Rail Manager, Northern
Eastern Railway, Varanasi.

3. Station Master, Railway Station,
Lar Road, Deoria.Respondents.

(By Advocate:-Shri K.P.Singh)

O R D E R

HON. MRS. MEERA CHHIBBER, MEMBER(J)

The grievance of the applicant in this case is that he was working as Assistant Station Master at Lar Road Station when he was promoted as Station Master vide order dated 6-8-1998 and posted at Pipraich. The applicant's name figured at Sl. No. 3 in the said order (page 10 of the OA). It is submitted by the



applicant that he was allowed to work at Lar Road up to 24-7-1999 and was suddenly deleted on 25-7-1999. Thereafter he proceeded on leave. It is further submitted by the applicant that he remained sick and was finally declared fit on 10-6-2002 thereafter, he approached the authorities for permitting him to join the duties. He has been neither allowed to join at Lar Road nor at Pipraich. It is specifically submitted by the applicant in para '5' ground '1' that the applicant has neither been suspended from service nor has been removed from service. Therefore, he has stated *as he could always* that he should be allowed to join the duties and he ~~may~~ be *only* penalised *for the period he has been remained absent*, in accordance with law but till date no action has been taken against him. The applicant has given his representation to the DRM on 25-6-2002 (Page 14 of OA) which has still not been decided by the respondents. I ~~am~~ seen the representation of the applicant and find that applicant ~~has~~ himself stated *that* he was spared from Lar Road on 25-7-1999 thereafter, his status of the applicant is not known, as neither he has annexed the medical certificate nor he has annexed medical fitness certificate. However, applicant's counsel invited my attention to his representation dated 12-6-2002 wherein *is R* he said to have annexed the medical certificate alongwith his representation. In the absence of any documents annexed with the O.A., I am not in a position to pass any definite orders. However, since the applicant ~~has~~ already given his representation to the respondents which ~~has~~ still not been *b*

decided and such a matter can only be decided by the administration, I think this application may be decided at the admission stage itself by giving a direction to the respondents to decide the representation given by the applicant in accordance with law by passing a speaking order within a period of three months from the date of receipt of a copy of this order.

2. With the above direction, the O.A is disposed off.


Member-J

Madhu/