

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Original Application No. 1162 of 2002.

Allahabad this the 12th day of November, 2002.

Hon'ble Maj Gen KK Srivastava, Member-A
Hon'ble Mr. A.K. Bhatnagar, Member-J.

Om Veer Sagar
s/o Late Sri Devi Prasad
R/o Q.No. 298-B, New Railway Colony,
Tundla, District Firozabad.

.....Applicant.

(By Advocate : Sri A Rajendra)

Versus.

1. The Union of India,
through General Manager (P),
Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager,
Northern Railway, DRM Office, Nawab Yusuf Road,
Allahabad.
3. The Senior Divisional Operating Manager,
Northern Railway DRM Office, Nawab Yusuf Road,
Allahabad.
4. The Divisional Railway Manager,
Northern Railway, DRM Office, Moradabad.

.....Respondents.

Pandey
(By Advocate : Sri A.K. ~~Gaur~~)

Corrected by order
dated 9.01.03.

ORDER (Oral)

By Hon'ble Maj Gen KK Srivastava, A.M.

AC
This O.A., has been filed under section 19 of
Administrative Tribunals Act, 1985. The applicant has prayed
that direction be issued to respondent No. 1 to regularise
the applicant by empanelling him in the panel of Section
Controller. The applicant has also prayed that the
respondent No. 1 be directed to decide the applicant's
last representation dated 13.09.02,

MM

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2. The facts, in short, are that the applicant was appointed as Assistant Station Master (in short A.S.M) Tundla on 13.01.1988. The options were called for from A.S.M and Guards to work as Section Controller in pay scale of Rs. 1400-2600/-. The applicant was posted as ad-hoc Section Controller at Tundla on 15.05.1999 after interview and screening were done. Applicant has admittedly worked on the post of Section Controller, Tundla on adhoc basis since 15.05.1999. As per the applicant, he worked continuously till 11.10.2002. This fact has been disputed by the respondents' counsel that the applicant worked continuously on the post of Section Controller and submitted that in between he was utilized on his original post. However, in our opinion, this fact can be verified from the records itself. The applicant has represented before respondent Nos. 1 and 2 for his regularisation as Section Controller and he is entitled for a decision. In our view, the interest of justice shall be better served if the representation of the applicant dated 13.09.2002 is decided within specified time by a reasoned and speaking order.

3. In view of the aforesaid, the O.A., is finally disposed of with the direction to the respondent No.1 to decide the representation of the applicant by a reasoned order within 3 months.

No order as to costs.


Member-J


Member-A

Manish/-