

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER 989 OF 2003

ALLAHABAD, THIS THE 01st DAY OF SEPTEMBER, 2003

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, VICE-CHAIRMAN
HON'BLE MR. D. R. TIWARI, MEMBER (A)

D.K. Roy/s/o S.K. Roy
r/o Gaya Colony, Mughalsarai,
District-Chandauli.

.....Applicant

(By Advocate : Shri S.K. Day)

V E R S U S

1. Union of India through the General Manager,
E.C.Railway, Hajipur,
Bihar.
2. The D.R.M. E.C. Rly. Mughalsarai,
District-Chandauli.
3. The D.R.M. E.C. Railway, Mughalsarai,
District-Chandauli.

.....Respondents.

(By Advocate : Shri K. P. Singh)

O R D E R

By Hon'ble Mr. Justice R.R. K. Trivedi, Vice-Chairman

This O.A. has been filed for challenging the order dated
31.03.2003 by which claim of the applicant for compensation to the

injury caused during the duties has been refused on the ground that the
injury were caused on account of applicant's mistake and negligence.


Shri S.K. Day counsel for the applicant has submitted that this
O.A. is not being pressed for the aforesaid relief, the O.A. is
accordingly dismissed so far as relief no. 1 is concerned.

[Signature]

2. The second relief claimed by the applicant is for payment of salary for the period during which he was sick on account of H.O.D.(Hurt on duty) and could not work.

3. The facts of the case are that applicant was serving as Gangman, E.C. Railway, Mughalsarai in the scale of Rs.2650-4000/- . On 27.12.1998 while on duties he received injury in his elbow, back and shoulder. He was admitted in hospital and he remain sick from 27.12.1998 to 17.11.1999. ^{~ u} ^u For that ~~time~~, he has not been paid the salary for the period for which he was entitled. The applicant before coming to this Tribunal, fi-led a representation, a copy of which has been filed as Annexure-9. It is submitted by the applicant's counsel that the representation of the applicant is still pending and has not been decided till date.

4. As the applicant has already approached the competent authority namely D.R.M., E.C. Railway, Mughalsarai, in our opinion, it shall not be appropriate to interfere at this stage, except for a direction to respondent No.2 to consider and decide the representation of the applicant dated 08.04.2003(Annexure-9) by a reasoned order within a period of 3 months from the date a copy of this order is filed. To avoid delay, it shall be open to the applicant to file a copy of the representation along with the copy of this order. No order as to costs.


Member (A)


Vice-Chairman

shukla/-