

(3)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Dated: This the 30TH day of OCTOBER 2006.

Original Application No. 1049 of 2006.

Hon'ble Mr. P.K. Chatterji, Member-A

K.K. Anand, S/o late Ram Lubhaya,
R/o H-1/22, Krishna Puram, Kanpur.
Presently posted as H.B.C./Achhalda,
Railway Station.

..... Applicant

By Adv: Sri Vinod Kumar.

V E R S U S

1. Union of India through General Manager,
North Central Railway,
ALLAHABAD.
2. Chief Commercial Manager (Refunds),
Head Quarters Office, North Central Railway,
ALLAHABAD.
3. Deputy Chief Traffic Manager,
North Central Railway,
KANPUR.

..... Respondents

By Adv: nil

O R D E R

Heard Sri V. Kumar learned counsel for the
applicant.

2. The case in this OA is that of refund of the money recovered from the applicant who had earlier ~~fair~~ refunded full ^{fair} to the passengers due to the dislocation and resultant late running of train No. 4518 on 09.10.1997. The applicant contents that the

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fare
refund of the ~~fare~~ was done accordingly to the provided Rule 213 (14) (I) volume one of Coachin Traffic.

3. The applicant had earlier submitted representation to the appropriate authority for refund of money recovered from him in violation of the Rule. The last representation-dated 17.03.2006 is addressed to the Chief Commercial Manager (Annexure 8 B). Learned counsel for the applicant is of the view that his purpose will be served if respondent No. 2 i.e. Chief Commercial Manager, North Central Railway, Allahabad is directed to dispose of his representation as per rules. In this context the learned counsel for the applicant has also brought to the notice of the Tribunal the order issued by this Tribunal in an identical case in OA No. 997 of 2005. According, to the applicant's counsel the respondents against the same order of the Tribunal also filed a Writ Petition but the same was dismissed.

4. I am of the view that purpose will be served if respondent No. 2 considers the representation of the applicant No. 17.03.2006 with due regard with the relevant rules and also in the light of the Tribunal's order in OA No. 997 of 2005 in so far as it relates to this ~~part~~ ^{OA} and then issue a reasoned and speaking order after taking decision. This

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exercise may be done within a period of 04 months from the date of receipt of copy of this order.

with

5. In the light of the above direction this OA is disposed of with no order as to costs.

Arrears

Member (A)

/pc/