

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

ALLAHABAD this the 10th day of September 2009.

**HON'BLE MR.A.K. GAUR , MEMBER (J)
HON'BLE MRS. D.C. LAKHA, MEMBER (A)**

Original Application Number 405 OF 2006

Tej Singh, O.S. (Legal)/CORE/Allahabad

.....Applicants

V E R S U S

1. Union of India, through General Manager (P), North Central Railway, Allahabad.
2. General Manager (Establishment) Western Railway H.Q. Office Church Gate, Mumbai.
3. General Manager, Central Organisation Railway, Allahabad.
4. Deputy Chief Material Manager, Western Railway Dahod (Gujrat).
5. Chief Material Manager, N.C.R./Allahabad.
6. Chief Personnel Officer, NCR Head Qutr. Allahabad.

.....Respondents

Advocate for the applicant: Sri A. Basheer

Advocate for the Respondents : Sri D. P. Singh

O R D E R

DELIVERED BY HON'BLE MR. A.K. GAUR, J.M

We have heard Sri M. K. Upadhaya holding brief Sri A. Basheer, learned counsel for the applicant and Sri Durga Prasad Singh, learned counsel for the respondents.

2. The applicant has filed the aforesaid O.A. seeking a direction to the Respondents in the nature of Mandamus considering respondents to

maintain his lien paper and seniority in accordance with law as shown in seniority list dated 15.12.2003 and 26.03.2004.

3. Mr. M. K. Upadhaya learned counsel for the applicant at the very outset invited our attention to Annexure-A-23 dated 16.11.2005 and submitted that the Competent Authority vide letter dated 16.11.2005 have already recommended as follows:-

“Therefore, you are requested to kindly interpolate the name of Shri Tej Singh, OS-I Gr Rs. 6500-10500 (RSRP) at the appropriate place in the seniority list of Stores Deptt. Of NCR/HQ/ALD as per instruction provided in the Rly. Board's letter dated 15.10.2003 (Copy enclosed) and a copy of revise seniority list may please be send to this office for the staff concerned please.”


4. Learned counsel for the applicant would further contend that in pursuance of said letter no orders have been passed by General Manager, North Central Railway, Allahabad/Respondent No. 1. He submitted that his grievance might be redressed if a direction is given to the Competent Authority to consider the letter dated 16.11.2005 and pass reasoned and speaking order in accordance with provision of rule, within specified period of time.

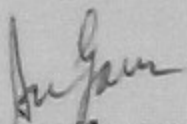
5. Having heard parties counsel, we hereby direct the Respondents No. 1/ General Manager, North Central Railway, Allahabad, to consider the letter dated 16.11.2005/ Annexure-A-23 by a reasoned and speaking order within a period of three months from the date of receipt of copy of this order.

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3. With the above direction, the OA stands disposed of with no order as to costs.

Be it noted that we have not passed any order on the merits of the case.


Member-A


Member-J

/Dev/