

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

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

Original Application Number. 745 OF 2007.

ALLAHABAD this the **03rd** day of **August, 2009.**

A.K. Srivas, T.T.E, North Central Railway, Banda, Jhansi Division.
.....Applicant.

VE R S U S

1. Union of India through General Manager, North Central Railway, Allahabad.
2. Additional Divisional Railway Manager, North Central Railway, Jhansi .
3. Senior Divisional Commercial Manager, North Central Railway, Jhansi.
4. Divisional Commercial Manager, North Central Railway, Jhansi .
5. Divisional Railway Manager, Chatrapati Shivaji Terminal, Mumbai.
.....Respondents

Advocate for the applicant: Sri S.K. Om
Advocate for the Respondents : Sri P.N. Rai

ORDER

(Delivered by Hon'ble Mr. A.K. Gaur, J.M)

Learned counsel for the applicant at the very out set submitted that the facts of the case of Original Application No. 2443/2001 (K.K. Srivas Vs. U.O.I & Ors.) filed before the Principal Bench of this Tribunal and the points involved therein are similar and identical and the grievance of the applicant might be redressed if a direction is given to the respondents to consider and decide the case of the applicant in the light of observation made in the judgment and order dated 05.03.2007 passed in O.A No. 2443/2001 (Annexure – 14 of O.A).

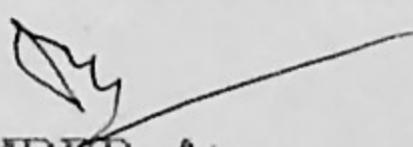
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2. Learned counsel for the respondents on the other hand raised preliminary objection with regard to delay in filing O.A.

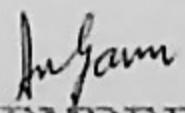
3. Having heard learned counsel for both sides at considerable length, we are satisfied that the delay in filing O.A is neither intentional nor deliberate. Delay, if any, in filing O.A, is therefore, condoned. We hereby direct the applicant to file a certified copy of this order alongwith copy of judgment and order dated 05.03.2007 passed in O.A No. 2443/2001 (Annexure - 14 of O.A) as well as additional representation, if so advised before the competent authority , who shall consider and decide the same taking into account the observation made in the judgment dated 05.03.2007 (referred to above) as well as meeting all the contentions raised in his additional representation and pass a reasoned and speaking order within a period of three months on receipt of certified copy of the order and communicate the decision to the applicant.

4. With the aforesaid directions, the O.A is disposed of finally with no order as to costs.

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



MEMBER- A.



MEMBER- J.

/Anand/