O.A./284/88

CORAM : Hon'ble Mr.A.V.Haridasan : Judicial Member
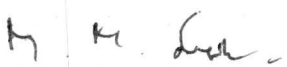
Hon'ble Mr.M.M.Singh : Administrative Member

31/01/1990

In this application filed under Section 19 of the Administrative Tribunals Act 1985, the grievance of the applicant Mr.Sukhdevbhai Ratilal Nayak who was working as a Gate Keeper is that, the respondents are not allowing him to resume his duties as Gate Keeper, I.C.-2, Western Railway Katosan Road, where he was working. He prays that the respondents may be directed to allow him to join duty and also pay him the salaries from 8.11.1984. In the reply statement filed by the respondents which has been interalia contended that the applicant has been absconding and that the averments in the application that the respondents are not permiting him to join duty is not true to fact.

We have heard the counsels on either side and also perused the documents produced. We have also seen the copies of a number of letters, sent by the applicant to the Railway Authorities, and the postal receipts evidencing registration of such letters. While the matter was being heard the learned counsel on the other side submitted that the matter can be disposed of by directing the respondents to treat this application as a representation submitted by the applicant to them and to dispose of the same on merits in accordance with the law within a period of one month from the date of this order. Accordingly we dispose of

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this application with a direction to the respondents to treat
this application as a representation made by the applicant
and to dispose of the representation in accordance with law
within a period of one month from the date of this order,
giving the applicant a reasonable opportunity of being heard.
In case, the applicant is aggreved by the out come of the
representation, he will be at liberty to approach this Tribunal
for appropriate reliefs. No order as to costs. Copy of the
order may be given to both the parties.

(M.M.Singh)
Administrative Member

(A.V.Haridasan)
Judicial Member

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