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**CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO.142 OF 1998
Cuttack this the 12th day of March, 1999

PRONOUNCED IN THE OPEN COURT

Chintamani Mohapatra

Applicant(s)

-Versus-

Union of India & Others

Respondent(s)

(FOR INSTRUCTIONS)

1. Whether it be referred to reporters or not ? *Yes.*
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ? *No.*

Somnath Som
(SOMNATH SOM)
VICE-CHAIRMAN
12.3.99

(6)

**CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO.142 OF 1998
Cuttack this the 12th day of March, 1999

CORAM:

THE HON'BLE SHRI SOMNATH SOM, VICE-CHAIRMAN
AND

Sri Chintamani Mohapatra
Son of Laxman Mohapatra
At: Rajabazar, PO/PS:Jatni,
District : Khurda

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Applicant

By the Advocates : Mr.U.N.Mishra

-Versus-

1. Union of India represented
though it's General Manager
South Eastern Railway, 11, Garden
Reach Road, Calcutta,
Pin Code - 700643
2. Divisional Railway Manager,
South Eastern Railway,
Khurda Road, At/Po/P.S. Jatni
Dist: Khurda
3. Divisional Personnel Officer
South Eastern Railway, Khurda Road
At/Po/PS: Jatni, Dist:Khurda

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Respondents

By the Advocates : Mr.D.N.Mishra
Standing Counsel
(Railways)

...

S. Som

ORDER

MR. SOMNATH SOM, VICE-CHAIRMAN: In this application under Section 19 of the Administrative Tribunals Act, 1985, the petitioner has prayed for direction to Respondents 2 and 3 to provide him work which he was earlier discharging. The alternate prayer is that his representation dated 18.2.1998 may be disposed of on merits within a specified time.

2. The case of the petitioner is that he is a permanent resident of Rajabazar, Jatni. In the years 1979-80 and 1980-81 he was engaged as casual labourer and worked for about more than a year. Thereafter he fell ill and due to his continuous illness he discontinued to work. He approached the departmental authorities many a time to provide him work, but no consideration was shown to him. The applicant has produced before the departmental authority only a piece of document available with him which is a Certificate issued by the Station Master, Paradeep that he worked for a period of 90 days, ie. from 1.5.1979 to 27.7.1979 as Hot Weather Water Man and his work was satisfactory. He filed representation for his engagement as a casual worker, but this representation was rejected in order dated 15.12.1997 at Annexure-1 on the ground that he has no merit. Thereafter the petitioner filed another representation dated 18.2.1998 and the same is pending consideration. In view of this the applicant has come up in this application with the prayers referred to earlier.

3. In consideration of the fact that the petitioner has filed a representation before the departmental

authorities for reconsideration of their order dated 15.12.1997 communicated to him and this representation dated 18.2.1998 is still lying undisposed of, this Original Application is disposed of with a direction to departmental authorities, particularly Res.2 to dispose of the above representation within a period of 90 days from the date of receipt of this order and communicate the decision thereon to the petitioner within thirty days thereafter. In case the said representation of the applicant is not available with Res.2, it is directed that the petitioner will file a fresh representation before Res.2 who shall dispose of the same within a period of 90 days from the date of receipt of such representation and communicate the decision thereon to the petitioner within thirty days thereafter. The petitioner, if feels aggrieved, by the order to be passed on his representation, ^{will be} ~~is~~ at liberty to approach the Tribunal.

Original Application is disposed of in terms of above observations and directions. No costs.

Somnath Som
(SOMNATH SOM)
VICE-CHAIRMAN
12.3.99

B.K.SAHOO