

9. ORDER DATED 5-12-2001.

The applicant, who is the son of a retired Railway Employee has filed the present Original Application for a direction to the Respondents to consider the case of the applicant in giving appointment in a suitable post as per his academic eligibility on loyal quota which was introduced by the authorities in the year 1974, for counteracting a strike call given by the All India Trade Union. The applicant's main contention is that his father is one amongst those loyal employees who worked during the strike period inspite of resistance by other employees. In this regard he has also filed a number of representations to the authorities for proper consideration of the same. Learned Counsel for the applicant, during the course of hearing brought to my notice a letter dated 13.12.2000 issued by the Chief Personnel Officer(CC), South Eastern Railway (Respondent No.2) calling him for a personal hearing relating to all his grievances but as it is submitted by Learned Counsel for the applicant no final decision has been taken by the authorities as yet, in response to his representation even after the opportunity of personal hearing was given to him. Learned Counsel for both sides have no objection in case an order is issued by this Tribunal directing the Respondents more particularly Respondent No.2 to take a final decision in the matter considering the case of applicant sympathetically.

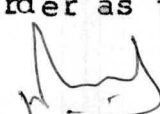
In view of the above submissions made by Learned Counsel for parties, at this stage, I am not inclined to

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observe anything regarding the merit of the case. As such, the Respondent No. 2 is directed to take a final decision on the representation of the applicant within a period of two months from the date of receipt of a copy of this order. However, the Respondents are at liberty to file an application for variation of the order, if it is later on found that no such letter dated 13.12.2000 has been issued by the Respondent No. 2.

The Original Application is accordingly disposed of but however, there shall not be any order as to costs.

  
(NITYANANDA PRUSTY)  
MEMBER (JUDICIAL)

KNM/CM.

Free copies of  
final order  
dt. 5.12.2001 issued  
to counsel for  
both sides.

Dg  
6/12/01

  
S. O. C.