

NOTES OF THE REGISTRY

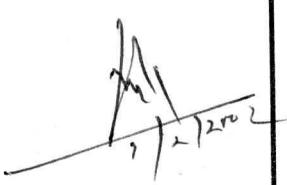
ORDERS OF THE TRIBUNAL

counter not filed.

DS
31.1.02 Regd.

1-2-2002.

It is prayed by the learned Standing Counsel for the Railways that time is required to file counter. Hon'ble. Time granted
Till 18-2-2002 for
Counter.


18-2-2002

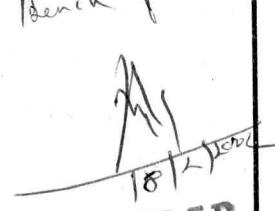
REGISTRAR

Counter not
filed.

Ratra
18/2

18-2-2002.

LD counsel for the applicant is present. Respondents are absent on call. No steps taken by them to file counter. Therefore to file counter before the Bench for further order.


18-2-2002

REGISTRAR

Counter not
filed.

Ratra
18/3

order dated 11.10.02

Call this matter for final disposal after showing it in the Registry list.


Vice Chairman M.P.
18-2-2002
Registrar (T)

ORDER DATED 04-09-2003.

Heard Mr. N. R. Routhay, learned counsel appearing for the Applicant and Mr. D. N. Mishra, learned Standing Counsel appearing for the Respondents and perused the records.

Applicant's services were regularised retrospectively under Annexure-5 dated 9.1.1999. By filing the present original Application U/s.19 of the Administrative Tribunals Act, 1985, the Applicant has prayed to anti-date his date of regularisation to 1.4.1973. This prayer of the Applicant has been based on the circular at Annexure-2 dated 26.4.1989. In this case, the Respondents have already filed counter; wherein they have disclosed that wrongly the Applicant's services were regularised w.e.f. 1.4.1984 instead of 1.4.1991.

By filing the present MA No. 649/2003, the Applicant has ~~xxx~~ brought to the notice of this Tribunal that by a circular of the S. E. Railways under Annexure-11 dated 13.8.2001 (to the MA) the grievance pertaining to several Railway employees (where they have claimed for anti-dating their regularisation to 1.4.1973) have been asked to be resolved

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by scrutinising their records by a Committee. The

adviser(s) and concerned officials of the organisation etc.

Applicant has prayed for a direction to the

Respondents to resolve his grievance(pertaining

to the prayer for antidiating his regularisation

to be 1.4.1973 by constituting committee set up

under Annexure-II to the M.A. To this Mr. Mishra,

learned counsel for the Respondents submitted that

following to carving out the E.C. Railways from

S.E. Railways, the grievance of the Applicant is

only to be redressed by the E.C. Railways. It is

not known as to whether E.C. Railways have set up

a Committee as required under Annexure-II dated

13.8.2001 of E.C. Railways.

In the aforesaid premises, having heard

counsel for both sides, this O.A is disposed of with

direction to the Respondents and the General Manager

of E.C. Railways to set up a Committee(if the same

has not yet been set up) as per the circular under

Annexure-II dated 13.8.2001 at E.C. Railways' level

and examine the case of the Applicant for redressal

of his grievance as raised in this O.A. The E.C.

Railways should set up the Committee within a period

of 30 days from the date of receipt of a copy of this

order;if the same has not yet been constituted and the

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00.456/01

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said Committee should consider the grievance
and at earliest possible time and in writing
of the Applicant within a period of 60 days thereafter.

notwithstanding the aforesaid observations and
directions this O.A. is disposed of.

With the disposal of the O.A. No. 456/2001,
O.A. No. 649/2003 also stands disposed of.

Send copies of this order to all the

Respondents and to the General Manager of

E.C. Railways having headquarters at Bhubaneswar.

Copies of the O.A. No. 456/2001, counter, rejoinder and
copy of MA No. 649/2003 also be sent to the General

Manager of E.C. Railways at Bhubaneswar. Mr. Routray.

Learned counsel for the Applicant also undertakes to
file spare copies of the O.A., counter, rejoinder and
the aforesaid MA by 8.9.2003. Free copies of this
order be also handed over to learned counsel for
both sides.

Member (Judicial)

O.A. No. 649/2003

Copies of the order are to be sent to the
Respondents. A copy
of the order is also
to be sent to the G.M.

Copies of the
order prepared
for counsels for
both sides.

D.P. Ray
S.

12/9