

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Counter not filed.

DS
31.1.02

Regr.

1-2-2002.

It is Prayed by The Ld
Standing Counsel for the Railways
that time is required to file
Counter. Head. Time granted
till 18-2-2002 for
consider.

REGISTRAR

Counter not
filed.

Batra
15/2

Registrar

18-2-2002.

Ld Counsel for the applicant
is present. Respondents are absent
on call. No steps taken by them
to file Counter. Therefore
put up before the Bench for
further order.

REGISTRAR

Counter not
filed.

Batra
18/3

Bench

Order dated 11.10.02

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

Vij Chatterjee HED
Member (D)

ORDER DATED 04-09-2003.

Heard Mr. N. R. Koutray, 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 ~~prayed~~ 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

by scrutinising their records by a Committee. The Applicant has prayed for a direction to the Respondents to resolve his grievance (pertaining to the prayer for antidating his regularisation to 1.4.1973 by constituting committee set up under Annexure-11 to the M.A. To this Mr. Mishra, learned counsel for the Respondents submitted that following to carving out the E.Co Railways from S.E. Railways, the grievance of the Applicant is only to be redressed by the E.Co. Railways. It is not known as to whether E.Co. Railways have set up a Committee as required under Annexure-11 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-11 dated 13.8.2001 at E.Co. Railways' level and examine the case of the Applicant for redressal of his grievance as raised in this O.A. The E.Co. 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

The Committee should consider the grievance of the Applicant within a period of 60 days thereafter.

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

With the disposal of the O.A.No. 456/2001,

M.A.No. 649/2003 also stands disposed of.

Send copies of this order to all the Respondents and to the General Manager of E.Co.Railways having headquarters at Bhubaneswar. Copies of the OA No. 456/2001, counter, rejoinder and copy of MA No. 649/2003 also be sent to the General Manager of E. Co. Railways at Bhubaneswar. Mr. Routray, learned counsel for the Applicant also undertakes to file spare copies of the OA, 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)

On 21.4.2003

Copies of order
sent to all
members. A copy
of order also
sent to the GM,
E. Co. Rly, BBST.
Copies of said
order prepared
for counsels for
both side.

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