



FORM No. - 4

See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

ORDER SHEET

Original Application No. OA 1198 of 2004

Applicant(s) Radhagobinda Das Respondent(s) Union of India & another

Advocate for Applicant(s) Mr. S.S. Patra Advocate for Respondent(s).....

of N. Padhi
B. K. Sahoo
N. R. Mohanty

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
<p>D.O. 2 M.L.D. 226. Defects pointed out in the hearing record may be seen. For order</p> <p>DR 27/2/04 dms 30.07.04 Registration Please get the defects rectified. DR 30/2/04</p>	<p>REGISTER 6/12/04 Registrar</p> <p><u>Order dated 18.01.06</u></p> <p>Applicant is presently posted as Station Master of Jaleswar Railway Station under Kharagpur Division of South Eastern Railways. Previously he was in Bilaspur Division of South Eastern Railways and on his own request he came on transfer to Kharagpur Division. It is the case of the applicant that while accepting in Kharagpur division he was not given pay protection. ^{and} and that</p>

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Defects ~~described~~
for Registration

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15/12/04

Shrikant

16-12-04

Registrar

W.M. Ray

For Admonition.
Copy Served.

R
Qureshi

17/11/04

he was also taken to a lower rank. It is also the case of the Applicant that he submitted representations to the authorities which did not receive any consideration. (Submitted) His last representation on 6.8.03 at Annexure-1 also has not received any consideration. No heed having been paid to his grievances, as raised in his repeated representations, the Applicant has approached this Tribunal with the present Original Application under Section 19 of the Administrative Tribunal's Act, 1985. A copy of this O.A. (filed on 19.04.04) was served on Mr.R.C.Rath, I d. Standing Counsel for the Railways on 10.5.04.

Today the I d. Counsel for the Applicant has placed a copy of the order dtd.15.3.04 of this Tribunal rendered in O.A.No.214/99, which was passed on the basis of Railways Board's circular letter No.F(E) II/91/Misc./2 dated 20.8.1999 and the decisions of this Tribunal rendered on 03.04.96 in O.A.No. 712/94 and of the Hyderabad Bench of this Tribunal rendered on 14.11.94 in O.A.No. 1252/94 and that of Ernakulam Bench of this Tribunal rendered on 26.2.93 in O.A.No. 333-400/1992. It is the case of the I d. Counsel appearing for the Applicant that for the reason of the decision rendered by this Tribunal in its order dtd.15.3.04 rendered in O.A.No.214/99, the Applicant is/was entitled to pay protection.

Since the grievances of the Applicant are

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yet to be redressed finally by the Respondents, this O.A. is hereby disposed of by granting liberty to the Applicant to put up a consolidated representation by end of January 2006 and if such a representation is made by the Applicant, by end of January, 2006, then the Respondents should give due consideration to the grievances of the Applicant, as due and admissible under the rules, by end of April, 2006. The Applicant should produce an authenticated copy of this order dtd.15.3.04 of this Tribunal rendered in O.A.No.214/99 before the Respondents along with his representation to be filed by end of January, 2006.

With the aforesaid observation and direction, this O.A. is disposed of at the admission stage, after hearing Mr.S.S.Patra, Ld. Counsel appearing for the Applicant and Mr.R.C.Rath, Ld. Standing Counsel for the Railways.

Send copies of this order to the Respondents, along with copies of this O.A., and free copies of this order be handed over to the Ld.Counsel appearing for both the parties.

A free copy of this order be ^{also} sent to the Applicant in the address given in the cause title of this Original Application.

Copies of order dt 18/1/04
Revised to counsel for both
parties.

20/1/07

Member (J)