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O.A.No. 472 of 2006.

Order dated 02-06-2006.

By filing M.A.No. 332 of 2006 9 Applicants have sought for permission to prosecute this case jointly. Having heard Mr. A. Kanungo, learned counsel appearing for the Applicants and Mr. S.K. Ojha, learned Standing Counsel for the Railways; on whom a copy of this O.A. has already been serve, prayer to prosecute this case jointly is allowed and M.A. No. 332 of 2006 is accordingly disposed of. No costs.

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MEMBER(ADMN.)

2.Order dated 02-06-2006.

Heard Mr. A. Kanungo, learned counsel appearing for the Applicants and Mr. S.K. Ojha, learned Standing Counsel for the Railways; on whom a copy of this Original Application has already been served.

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It appears from the record that although the Applicants have preferred representation under Annexure-6 dated 22-02-2005 pointing out their grievances, the same has not yet been attended to by the Respondents. It is to be noted here that non-disposal of the service representation of the employees for a long time is not a healthy personal management on the part of the Authorities. The Hon'ble Apex Court of India in the case of S.S.RATHORE vs. STATE OF MADHYA PRADESH – AIR 1990 SC 10 have also deprecated such action of the authorities and observed as under:-

“.....Redressal of grievances in the hands of the departmental authorities takes an unduly long time. That is so on account of the fact that no attention is ordinarily bestowed over these matters and they are not considered to be governmental business of substance. This approach has to be deprecated and authorities on whom power is vested to dispose of appeals and revisions under the Service Rules must dispose of such matters as expeditiously as possible. Ordinarily, a period of three to six months should be the outer limit. **That would discipline the system and keep the public servant away from a protracted period of litigation.**”

(emphasis supplied)

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As the grievances of the Applicants are still pending with the authorities under Annexure-6, in ~~all~~^R fitness of things, this Original Application is disposed of at this admission stage with direction to the Respondents to consider and dispose of the representation of the Applicants under Annexure-6 within a period of 3 months from the date of receipt of a copy of this order and communicate the result thereof to the Applicants. Learned counsel appearing for the Applicants has also sought for a direction to the Respondents to allow the Applicants personal hearing in the matter. Respondents are free to consider such prayer of the Applicants.

Send copies of this order to the Respondents along with copy of this OA and free copies of this order be given to learned counsel appearing for both sides.

MEMBER(ADMIN.)^R