

Order No.1 dated 10.10.2002

The Applicant, Claiming to be a retired employee of the Railways, has filed this Original Application under Section 19 of the Administrative Tribunals Act, 1985, praying therein for ^a direction to Respondents for payment of pension.

2. It appears that the Applicant, without exhausting the remedies before the authorities/without filing any representation seeking redressal of his grievances, has straightaway invoked the jurisdiction of this Tribunal. This Bench consistently has been taking the view in earlier occasions that mere existence of grievances/right is not enough to rush to the Court of Law for redressal of grievances. If such grievances are entertained in this Tribunal, then Govt. servants in each and every matter may approach the Tribunal; even if the same is redressible by their authorities had it been pointed out to them; because to err is human.

3. In the aforesaid premises, while we are not inclined to entertain this O.A. being premature, the learned counsel for the Applicant has sought permission for withdrawal of this O.A. with liberty to seek redressal of his grievances before the Respondents by filing a representation giving details.

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4. In the above view of the matter, this Original Application is dismissed as withdrawn at the admission stage by giving liberty to the Applicant to file a representation before the Respondents within a period of fifteen days hence and, in the event such a representation is filed, the Respondents would do well in giving due consideration to the grievances of the Applicant within a period of three months therefrom.

5. Send copies of this order alongwith copies of the Original Application to the Respondents and free copies of this order be given to the learned Counsel for the Applicant and Shri D.N. Mishra, Learned Standing Counsel for the Railways; on whom a copy of this Original Application has been served.

10/10
(B.N. SOM)
NICE-CHAIRMAN
10.10.02
Manoranj
(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)

Copy of order off-10.10.02 & of copy
issued to all the resps.
by posts with O.A. 944/02.

The same copy of order issued
to the counsel for both sides.

10/10/02

DM
S.O. 10/10/02