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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A No. 69 of 2008

Cuttack, this the 21st December, 2010

S.K.Das and others Applicants

U.O.G. -v-

& Others Respondents

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THE HON'BLE MR. C.R. MOHAPATRA, MEMBER (A)

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THE HON'BLE MR.A.K.PATNAIK, MEMBER (J)

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In this Original Application the prayers of the

Applicants are as under:

(ii) To direct the Respondents to publish the common seniority list of the Assistant Loco Pilot (Electric/Diesel), who have been recruited directly as per the Rules/Instructions issued by the CPO/S.E.Rly/Kolkata vide letter No. P/L/13/Mech/Elect/RG dated 17.1.2005 and para 303 of IREM Vol.I (Revised Edition 1989);

(ii) To direct the Respondents to take a final decision on the representation of the Applicants within a stipulated period and till then the Respondents may be directed not to act upon the result of the selection test held pursuant to the Notice dated 01.10.2007 [Circulated by order dated 5.10.2007 of CCC (Loco)/BNDM] so far as Juniors to the Applicants are concerned;

(iii) To pass any other order/orders as deemed fit and proper."

Respondents have filed their counter objecting to the contentions raised by the Applicants in their OA and applicants

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filed their rejoinder by way of countering to some of the points raised by the Respondents in their Counter. Heard Mr.D.K.Mohanty, Learned Counsel for the Applicant and Mr.B.B.Pattnaik, Learned Counsel appearing for the Respondents and perused the materials placed on record. The positive case of the applicants is that they made representation under Annexure-A/4 dated 07.11.2007 ventilating their grievance and seeking removal of the injustice in the matter of fixation of seniority etc. As no decision was taken thereon for a long time they approached this Tribunal. We find that the direction for disposal of the representation is one of the prayers of the applicant in this OA. Therefore, on the specific question to Mr.Pattnaik, Learned Counsel for the Respondents on the disposal of the representation, it was fairly submitted by Mr. Pattnaik that in view of the pendency of this OA, no decision has been taken on the representation of the applicant.

In view of the above, without expressing any opinion on the merit of the matter this OA is disposed of with direction to the Respondent No.3 to consider and dispose of the representation of the Applicant under Annexure-A/4 within a period of 60(sixty) days from the date of receipt of copy of this

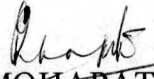
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order and communicate the decision taken thereon to the Applicant in a well reasoned order,

Send copy of this order to the Respondent No.3 at the cost of the Applicant for which Learned Counsel for the Applicant undertakes to furnish the postal requisite by next two days, for compliance. Free copy of this order be also furnished to Learned Counsel for both sides.


(A.K.PATNAIK)
MEMBER(JUDL.)


(C.R.MOHAPATRA)
MEMBER(ADMN.)