

12

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. No.260/00729/ 2010

Cuttack this the 27th day of January, 2015

CORAM
HON'BLE MR. A. K. PATNAIK, MEMBER (JUDL.)
HON'BLE MR.R.C.MISRA, MEMBER (ADMN.)

.....
Jayadev Sarkar aged about 47 years S/o Late K.C. Sarkar of Gopahadi (Near Gul Factory) Tatanagar, Jamshedpur – 2, District Singhbhum, State Jharkhand. At present working as Technician, Grade I, Senior Divisional Personnel Officer, South Eastern, Bondamunda, District Sundergarh.

...Applicant

(Advocate: Sh. S.K.Nayak)

VERSUS

1. Union of India represented through General Manager, South Eastern Railway, Garden Reach, Calcutta – 43.
2. Senior Divisional Personnel Officer, South Eastern Railway, Chakradharpur, District Singhbhum, Jharkhand.
3. Senior Divisional Electrical Engineer (TRS), Bondamunda. At Bandomunda Rourkela, District Sundargarh.
4. Assistant Personnel Officer, South Eastern Railway, Chakradharpur, District Singhbhum, Jharkhand.

... Respondents

(Advocate: Sh. S.K.Ojha)

O R D E R

PER A. K. PATNAIK, MEMBER (J):

Heard Shri S.K.Nayak, learned counsel for the applicant and Shri S.K.Ojha, learned panel counsel for the Railways at length.

2. Upon perusal of records, we find that the order dated 24th November, 2009 (Annex.-7) which has been impugned in this O.A., has been passed in pursuance of the order dated 12th October, 2009 (Annex.-6) that had been passed by the

[Signature]

18

departmental authorities in compliance of the order dated 23rd June, 2009 (Annex.-4) passed by this Tribunal in O.A. No. 709/2006. However, order dated 12th October, 2009 is not under challenge which is the genesis of issuing order dated 24th November, 2009. When pointed-out, learned counsel for the applicant candidly submitted that against the order dated 12th October, 2009, applicant has submitted a representation dated 15th March, 2010 which has not been disposed of and therefore, he prayed for direction to be issued to the said authorities for consideration of his representation.

3. We have considered the submissions made by the learned counsel for both the sides. Without expressing any opinion on merit of the matter, we direct the Divisional Railway Manager, South Eastern Railway, Chakradharpur, to consider the representation dated 15th March, 2010 (Annex.-10), if still pending and, pass a reasoned and speaking order within a period of two months' from the date of receipt of this order. However, we make it clear that if in the meantime, the said representation has been disposed of, then the communication of the decision thereon, be made to the applicant within a period of two weeks from the date of receipt of this order.

4. With the above observation and direction, this O.A. is disposed of. No costs.

[R.C.Misra]
Member (A)
J2-2-15}108

[A.K.PATNAIK]
Member (Judl.)