

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A No. 778 of 2010

Cuttack, this the 9th day of December, 2010

C O R A M

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

A N D

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

.....
Pradumna Kumar Routray, Aged about 30 years, Son of Duryadhan Routray, presently residing at Podapada, PO-Argul, PS-Jatni, Dist. Khurda, Orissa.

.....Applicant

By legal practitioner: M/s. Agasti Kanungo, C.Nayak,

A.K.Panigrahi, Counsel

-Versus-

1. Union of India represented through General Manager, East Coast Railway, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
2. Chief Personnel Officer, East Coast Railway, Khurda Road, At/Po-Jatni, Dist. Khurda.
3. Divisional Railway Manager (Personnel), East Coast Railway, At/Po.Dist.Khurda.

....Respondents

By legal practitioner: Mr.S.K.Ojha, Standing Counsel.

O R D E R

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

Applicant's prayer in this OA is to direct the

Respondents to publish the list of the land oustees whose lands were occupied by the Railway for construction of Khurda Bolangir BG Rail Link Project and as the land belonging to the family of the applicant has been occupied for the above purpose,

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provide him engagement either in Gr. C or D post in accordance with the orders already passed by this Tribunal in similar cases which was confirmed by the Hon'ble High Court of Orissa in OJC Nos. 6156 of 2002 and others disposed of on 21.6.2010.

2. Having heard Learned Counsel for the Applicant and Mr.S.K.Ojha, Learned Standing Counsel for the Railway; appearing on notice for the Respondents perused the materials placed on record. It appears that the applicant made representation under Annexure-5 dated 03.06.2010 claiming the benefit as claimed in this OA and according to the Learned Counsel for the Applicant no decision has been taken thereon till date. If the representation was submitted, then four months being well enough time for taking a decision on the said representation, the Respondents ought to have intimated to the Applicant the result of consideration of such representation. Having not done so, ends of justice would be met if we dispose of this OA at this admission stage (without expressing any opinion on the merit of the matter) calling upon the Respondent No.3 (with whom, according to the Learned Counsel for the Applicant, the representation is pending for consideration) to

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consider the grievance of the applicant as raised in his representation under Annexure-5 and communicate their decision taken thereon to the Applicant in a well reasoned order within a period of 45 days from the date of receipt of this order.

Ordered accordingly.

2. Send copy of this order along with copy of the OA to the Respondent No.3 at the cost of the Applicant; who shall furnish the postal requisite within seven days hence, thereafter free copies of this order be given to Learned Counsel for both sides.


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


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