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B.Ramu-Vrs-UOI&Ors

P.H.Sl.No.4  
OA No. 679/11

**Order dated -20.5.2014.**

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

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The Applicant who is working as OS II under the Senior DME (Diesel)/, East Coast Railway, Dondapathy, Waltair has filed this Original application under section 19 of the A.T. Act, 1985 praying to quash the information supplied to the applicant Under RTI Act, 205 vide letter dated 19.8.2011 and to direct the Respondents to accept his option. The matter was heard in part on 2<sup>nd</sup> May, 2014 and was fixed to date for giving further hearing in the matter.

2. Heard Mr.N.R.Routray, Learned Counsel for the Applicant and Mr.T.Rath, Learned Standing Counsel for Railway-Respondent and perused the records.

3. Mr.Routray, Learned Counsel for the Applicant has submitted that before filing this OA, the applicant has ventilated his grievance through representation dated 19.8.2011 to the DRM, ECoRly, Waltair Division, Visakhapatnam/Respondent No.3 but he has not received any reply on the same. In the counter nothing has been stated if any decision is taken on the said representation. Therefore, it has been

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stated by Mr.Routray that he will be satisfied if this OA is disposed of at this stage with direction to the Respondent No.3 to take a decision on the said representation and communicate the result thereof to the applicant in a well-reasoned order. Mr.Rath, besides, questioning the very maintainability of this OA has submitted that on merit also the applicant is not entitled to the relief claimed by him in this OA.

4. Be that as it may we do not feel that any prejudice will be caused if this OA is disposed of with direction to the Respondents to take a view on the representation of the applicant if it is received and no decision has been taken thereon till date. Therefore, on the specific prayer of the learned counsel for the applicant this OA is disposed of with direction to the Respondent No.3 to consider and dispose of the representation dated 18.9.2011 (if the same is received by him and is still pending) as per rules and communicate the decision to the applicant in a well-reasoned order within a period of sixty days from the date of receipt of copy of this order. We make it clear that if in the meantime any decision has been taken but not communicated the same may be communicated to the applicant within a period of fifteen days from the date of receipt of copy of this order. There shall be no order as to costs.

  
Member (Admn.)

  
Member (Judicial)