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O.A.No.29/2010

ORDER DATED 16th MARCH, 2010

Coram:

Hon'ble Mr. C.R. Mohapatra, Member(A)

Indrajit Gochhayat.....Applicant.

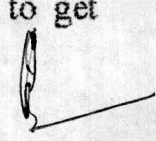
Vs.

Union of India & Ors.Respondents.

Heard Mrs. K. Nayak, Ld. Counsel for the applicant and Mr. S.K. Ojha, Ld. Standing Counsel appearing on notice for the Respondents (Railways).

2. This Tribunal vide its order dated 28.01.2010 had directed that the applicant should make a representation within one week from 28.01.2010 and the appropriate authority was required to consider and pass a reasoned order within one month thereafter. The Ld. Counsel for the applicant submits that such a representation was submitted on 04.02.2010. Though a period of one month is already over, she submits that no response has been received from the Respondents as yet. While passing the previous order the recovery of penal rent was kept in abeyance.

3. Mr. Ojha, Ld. Standing Counsel for the Respondents (Railways) submits that he was not able to get



instruction in this matter so far from the Respondents. As agreed to by the Ld. Counsel for the parties it is considered that at this stage it will meet the ends of justice if the pending representation is considered by the Respondents and a speaking order is passed taking into consideration the aspects of payment of penal rent or the damage rent and the points raised in the representation. This may be done within a period of 45 days from the date of receipt of the copy of this order. Ordered accordingly.

4. In view of the above observations and directions this Original Application is disposed of at the admission stage itself. No costs.

5. Send copy of this order as well as copy of this O.A. to Respondents for compliance.


(C.R. MOHAPATRA)
ADMN. MEMBER