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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No.260/0072 of 2015
Cuttack, this the 13th day of February, 2015

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

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G.Srinivas Rao,
Aged about 34 years,
Son of Late G.Venkat Swamy,
Resident of Qr-E/71/B, Type-I, Railway Colony,
Near VIR Railway Colony (Near Over Bridge)
PO- College square, PS- Malgodwn, Town/Dist- Cuttack,
Presently working as coach attendance in PB-1 with GP-1800
in Electrical (G) Department.

.....Applicant

Advocate(s)... M/s. H.K.Rout, H.K.Ratsingh, B.S.Das.

VERSUS

Union of India represented through

1. General Manager,
East Coast Railway,
At/PO-Chandrasekharapur,
Bhubaneswar, Dist- Khurda.
2. Divisional Railway Manager (P),
Khurda Road Division, East Coast Railway,
At/PO- Khurda Road, PS- Jatni,
Dist-Khurda.
3. Sr. Divisional Personal Officer,
Khurda Road Division, East Coast Railway,
At/PO- Khurda Road, PS- Jatni,
Dist-Khurda.
4. Asst. Chief Personal Officer, (C&S),
Khurda Road Division, East Coast Railway,
At/PO- Khurda Road, PS- Jatni,
Dist-Khurda.

..... Respondents

Advocate(s)..... Mr. T. Rath

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O R D E R (ORAL)

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

Heard Mr. H.K.Rout, Learned Counsel for the Applicant, and Mr. T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. Applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:

“(a) To quash the rejection order dated 05.12.2013 under Annexure-A/1 and declaring the same to be bad, illegal, arbitrary, discriminatory and unsustainable in the eye of law.

(b) to give a direction to the Respondents to allow the applicant to appear in the written examination for appointment in group-C post on compassionate Appointment scheme for the second chance.

(c) Pass any other such order.....”


3. The case of the applicant is that after the death of his father, who was working as a Tech-EBS-II in Khurda Road Division, he applied for compassionate appointment and appeared in the written test for Group-C post but could not succeed. He made application on 29.10.2013 before Respondent No.1 to allow him second chance to appear in the written test for Group-C post but he was directed by Respondent No.4 to appear in the screening test for Group-D post. He appeared in the screening test on 17.12.2013. Respondent No. 2 issued appointment letter to the applicant against a Group-D post of Coach Attendance on 26.02.2014. Mr. Rout, Ld. Counsel for the applicant, submitted that the applicant made representation on 19.09.2014 vide Annexure-A/3 before Respondent No.2 for giving another chance to appear in the written test for Group-C post but till date the



applicant has received no response on his representation and the same is still pending consideration.

3. In view of the submission made by the Ld. Counsel for the applicant, without entering into the merit of this matter, we dispose of this O.A. at this admission stage with direction to Respondent Nos. 2 and 3 to consider and dispose of the representation of the Applicant, if at all the same has been filed and is still pending, by a reasoned and speaking order and communicate the same to the applicant within a period of 60 days from the date of receipt of copy of this order. If, in the meantime, the representation has already been disposed of then the result thereof be communicated to the applicant within a period of 15 days from the date of receipt of a copy of this order. No costs.

4. As prayed for by Mr. Rout, Ld. Counsel for the applicant, copy of this order, along with the paper book, be transmitted to Respondent Nos. 2, and 3 by Speed Post at the cost of the applicant, for which he undertakes to furnish the postal requisites by 18.02.2015.


(A.K.PATNAIK)
MEMBER(Judl.)