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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

O. A. No. 260/00633 OF 2015  
Cuttack, this the 28<sup>th</sup> day of October, 2015

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

Gupteswar Bhoi, Aged about 64 years, S/O-Late Markanda Bhoi, At-Badamunda, P.O-Kandheigaon, Via-Deogaon, Dist-Bolangir, Ex. Mech. Gr.II Fitter Diesel under Sr. Diesel Mechanic Engineer, Waltair.

.....Applicant  
(Advocate: M/s. P.K. Mohapatra, S.K. Sahoo)

VERSUS

Union of India Represented through

1. Secretary to Government of India, Ministry of Railway, New Delhi.
2. The General Manager, East Coast Railway, Chandrasekharpur, Bhubaneswar, Dist-Khurda.
3. Divisional Railway Manager (P), East Coast Railway, Waltair.
4. Senior Diesel Mechanic Engineer, Waltair Division, East Coast Railway, At/PO-Waltair, Andhra Pradesh.

... Respondents  
(Advocate: Mr. T. Rath)

ORDER (Oral)

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

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

2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“ To direct the Respondents to consider the case of the applicant for grant of minimum pension on compassionate ground taking into account his 15 years of service from 07.12.1977 to 28.05.1992 and quashing the order of removal at Annexure-3 as the same has been passed in an ex-parte enquiry without following due procedure of law and complying the principles of natural justice”.

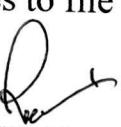
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3. Mr. Mohapatra, Ld. Counsel for the applicant submitted that alleging non consideration of the case of the applicant for the aforesaid relief as claimed by him, the applicant submitted representations dated 22.04.2014 (Annexure-A/5) and 05.11.2014 (Annexure-A/6) to Respondent Nos.2 & 1 respectively. It has further been submitted that till date no response has been received by the applicant on his representations. Hence, the applicant has filed this O.A. with the prayer as aforesaid.

4. Since the representations submitted by the applicant are stated to be pending, without entering into the merit of this case, we dispose of this O.A at the stage of admission by directing Respondent Nos.1 & 2 to consider the representations dated 22.04.2014 (Annexure-A/5) and 05.11.2014 (Annexure-A/6) if the same are still pending, as per the extent Rule and regulation and communicate the result thereof to the applicant by way of a reasoned and speaking order within a period of three months from the date of receipt of copy of this order. We hope and trust, <sup>if</sup> after such consideration it is found that the applicant is entitled to the relief claimed by him then expeditious steps be taken to extend the benefit to him preferably within a further period of six months from such consideration. Though we have not expressed any opinion on the merit of the case, we make it clear that all the points raised in the representations will be kept open for the Respondents to consider the same as per rules, regulations and law in force. However, it is made clear that if in the meantime the said representations dated 22.04.2014 (Annexure-A/5) and 05.11.2014 (Annexure-A/6) have already been disposed of then the result of the same be communicated to the applicant within a period of two weeks.

5. In the result, the O.A. is disposed of at the stage of admission itself. No costs.

6. On the prayer made by Mr. Mohapatra, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos.1 & 2 by Speed Post for which Mr. Mohapatra undertakes to file the postal requisites by 30.10.2015.

  
(R.C.MISRA)  
MEMBER (A)

  
(A.K.PATNAIK)  
MEMBER(J)