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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.260/0086/16
Cuttack this the 16th day of February, 2016

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

1. K.V.R.Murthy, aged about 48 years, son of K.Dasumahanty, near Priyankar Jewellery, PO-Jatni, Khurda Road, Dist-Khurda, at present working as ACCA under Senior Section Electrical, AC, East Coast Railway, Puri
2. Sanjay Kumar Hazara, aged about 42 years, son of late Chitta Ranjan Hazara, At-Madhusudan Nagar, PO-Jatni, Khurda Road, Dist-Khurda, at present working as ACCA under Senior Section Electrical Engineer, AC, East Coast Railway, Bhubaneswar, Dist-Khurda

...Applicants

By the Advocate(s)-M/s.K.P.Mishra
S.Mohapatra
T.P.Tripathy
L.P.Dwivedy

-VERSUS-

Union of India represented through:

1. The General Manager, East Coast Railway, Rail Sadan, Chandrasekharpur, Bhubaneswar, Dist-Khurda
2. Senior Divisional Personnel Officer, East Coast Railway, Khurda Road, Jatni, District-Khurda
3. Dibakar Swain, AC Khalasi under Senior Section Electrical Engineer/SGAC/East Coast Railway, Bhubaneswar, District-Khurda
4. Gopinath Naik, AC Khalasi (ACCA)under Senior Section Electrical Engineer/AC/East Coast Railway, Puri, At/PO/District-Puri
5. S.P.Sahoo, AC Khalasi (ACCA)under Senior Section Electrical Engineer/AC/East Coast Railway, Puri, At/PO/District-Puri
6. Jiginath Sahoo, AC Khalasi under Senior Section Electrical Engineer/AC/East Coast Railway, Bhubaneswar, District-Khurda
7. B.Rameswar Rao, AC Khalasi (ACCA)under Senior Section Electrical Engineer/AC/East Coast Railway, Puri, At/PO/District-Puri

...Respondents

By the Advocate(s)-Mr.T.Rath

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ORDER(Oral)

A.K.PATNAIK, MEMBER(J):

Heard Ms.S.Mohapatra, learned counsel for the applicants and Mr.T.Rath, learned Standing Counsel for the respondents on the question of admission. Two applicants have filed this Original Application claiming seniority over res.nos. 3 to 7 and to this effect, they have filed M.A.No.1007 of 2015 for joint prosecution. In our considered view, joint claim of seniority is not permissible under law. Therefore, they cannot be allowed to prosecute this O.A. jointly. Hence, M.A.No.1007 of 2015 is rejected and the O.A. is confined to applicant No.1, viz., K.V.R.Murthy.

2. We have heard the learned counsel for both the sides and perused the records. It is found that ventilating his grievance applicant no.1 has made an exhaustive representation dated 16.10.2014 to res.no.2 and having received no response, he has moved this Tribunal in the instant O.A. In view of this, without expressing any opinion on merit, we would direct respondent no.2 to consider the aforesaid representation if at all pending with him, in accordance with extant rules and instructions and communicate a decision thereon to the applicant within a period of six weeks from the date of receipt of this representation. However, if in the meantime, the said representation has already been considered, the decision thereon be communicated to the applicant within a period of four weeks from to-day. We make it clear that all the points raised by the applicant in his representation are kept open for consideration by res.no.2.

3. With the above direction, the O.A. is disposed of at the stage of admission itself. No costs.

ASL

4. On the prayer made by the learned counsel copy of this order along with paper book be sent to res.no.2 at the cost of the applicant for which Ms.S.Mohapatra undertakes to file the postal requisites by 19/2/2016.

5. Free copy of this order be made over to learned counsel for both the sides.


(R.C.MISRA)
MEMBER(A)


(A.K.PATNAIK)
MEMBER(J)

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