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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 260/00131 OF 2015
Cuttack this the 15th day of April, 2015

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

.....
Sri Radha Krishna Routa,
aged about 23 years,
S/o- Bhairab Chandra Rout of
Village-Sarbamangala Market,
P.O./P.S. Kabisurya Nagar,
Dist-Ganjam, At present
Working as a Helper under
SSE (P. Way) office at Dhenkanal

.....Applicant

Advocate(s) M/s- P.C. Jena, S. Rath

VERSUS

Union of India represented through

1. The General Manager,
East Coast Railway,
Rail Vihar, Chandrasekharapur,
Bhubaneswar, Dist-Khurda.
2. Senior Divisional Engineer (Co-Ord),
East Coast Railway,
Khurda Road, At/P.O./P.S.-Khurda Road,
Dist-Khurda.
3. Senior Divisional Personnel Officer,
Khurda Road,
At/P.O./P.S.-Khurda Road,
Dist-Khurda.
4. Asst. Personal Officer (C & S),
Khurda Road,
At/P.O./P.S.-Khurda Road,
Dist-Khurda.
5. Assistant Engineer,
Dhenkanal Office of the S.S.E. (P. Way),
Dhenkanal, At/P.O./P.S./Dist-Dhenkanal.

..... Respondents

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

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ORDER (ORAL)

A. K.PATNAIK, MEMBER (J):

Heard Mr. P.C. Jena, Ld. Counsel appearing 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. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 in which the applicant has prayed for the following reliefs:

“...to direct the Respondents to consider his case in transferring the applicant from S.E.E.(P. Way), Dhenkanal to any suitable nominated category reserved for handicap persons under Khurda Division.”

3. Mr. Jena, Ld. Counsel appearing for the applicant, submitted that the applicant joined as Helper under Respondent No-2 (S.S.E. (P.Way), Dhenkanal) as handicap person vide engagement order dated 11.12.2014 (Annexure-A/2) which violates the guidelines issued by the Respondents-Department. While the applicant found that he is facing inconvenience to do the work in the Railway Track due to visual handicap, he made a representation dated 20.01.2013 (Annexure-A/3) before the Respondents-Department to transfer him from S.S.E. (P.Way), Dhenkanal to any suitable nominated category for handicap person under Khurda Division, but till date no reply has been received by the applicant and hence, he has approached this Tribunal in the present O.A. with the aforesaid reliefs.

Alley

4. In view of the aforesaid facts and the positive case of the applicant that his representation dated 20.01.2015 is still pending with the Respondent –Department, at this stage, without entering into the merit of this case, I dispose of this O.A. by directing Respondent No.2 to consider the said representation as per Rules, if the same is still pending with him, and communicate the result thereof to the applicant by way of a reasoned and speaking order within a period of 60 days from the date of receipt of a copy of this order. However, if in the meantime, the said 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 copy of this order.

5. On the prayer made by Mr. Jena, Ld. Counsel for the applicant, copy of this order, along with paper books, be sent to Respondent No.2 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 17.04.2015. Free copy of this order be also made over to and Mr. T. Rath, Ld. Standing Counsel appearing for the Respondent-Railways.


(A.K.PATNAIK)
MEMBER(J)

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