

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No.260/00139 of 2015
Cuttack, this the 24th day of March, 2015

CORAM

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

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K.Bharati,
Aged about 29 years,
D/o K.Prasad Rao,
At Qrs. No. L-14/3, Diesel Colony,
PO/PS Bondamunda, Dist. Sundargarh-770032.

.....Applicant

Advocate(s)... M/s. B.S.Tripathy, M.K.Rath, J. Pati.

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Union of India represented through

1. The General Manager,
South Eastern Railway,
Garden Reach, Kolkata-43.
2. Divisional Railway Manager,
South Eastern Railway,
Chakradharpur Railway Division,
At/PO Chakradharpur, Dist. West Singhbhum,
(Jharkhand) Pin-833102.
3. Sr. Divisional Personnel Officer,
South Eastern Railway,
Chakradharpur Railway Division,
At/PO Chakradharpur, Dist. West Singhbhum,
(Jharkhand) Pin 833102.

..... Respondents

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

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O R D E R (ORAL)

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

Heard Mr. B.S.Tripathy, Ld. 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. The applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 praying for a direction to quash the impugned order dated 02.09.2014 as at Annexure-A/5 and further to direct the Respondent-authorities to issue order of appointment in favour of the applicant. The case of the applicant is that pursuant to advertisement dated 31.08.2012 under Annexure-A/1 for appointment under LARSGESS Scheme, she applied for the post of Helper and came out successful in written test as well as viva-voce test. She appeared for the medical examination conducted on 04.02.2014 and was found fit in A-2 category. Her grievance is that although appointment orders were issued in favour of other selected candidates, her candidature has been cancelled vide Annexure-A/5 on the ground that the educational certificate submitted by her, issued from the Navbharat Shiksha Parishad(NPS), India is not acceptable for the purpose of employment in Railways. Mr. Tripathy, Ld. Counsel for the applicant, submitted that ventilating her grievance, the applicant preferred representation on 05.01.2015 vide Annexure-A/6 before Respondent No.2, i.e. Divisional Railway Manager, S.E.Rly., but till date no response has been received by the applicant on her representation.


3. Taking into account the submission made by Mr. Tripathy, Ld. Counsel for the applicant, without expressing any opinion on the merit of the case, we dispose of this O.A. at this admission stage by directing Respondent No. 2 to consider and dispose of the representation, if the same has been filed and is still



pending consideration, as per the rules in force and pass a well reasoned order and communicate the same to the applicant 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 two weeks from the date of receipt of a copy of this order.

4. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

5. As prayed for by Mr. Tripathy, 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 27.03.2015.


(R.C.MISRA)
MEMBER(Admn.)


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