

3

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO. 842 OF 2012
CUTTACK, THIS THE 21st DAY OF NOVEMBER, 2012

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

.....

Jaladhara Jena,
Aged about 71 years,
S/o. Late Baidhara Jena,
Retd. Chowkidar, O/o AEN/S.E.Railway,
Jajpur Keonjhar Road, Dist.-Jajpur,
Permanent resident of
Vill.- Chakua, P.O.- Kumbhiragadia,
Dist.- Jajpur, Odisha

.....Applicant

Advocate(s) M/s. N.R.Routray, S.Mishra,
T.K.Choudhury, S.K.Mohanty.

VERSUS

Union of India represented through

1. The General Manager,
East Coast Railway, Rail Vihar,
Chandrasekharapur,
Bhubaneswar, Dist.-Khurda.
2. Senior Divisional Personnel Officer/
East Coast Railway, Khurda Road Division,
At/P.O.-Jatni, Dist.-Khurda.
3. Sr. D.E.N./Co-ord., East Coast Railway,
Khurda Road Division,
At/P.O.-Jatni, Dist.-Khurda.
4. Senior Divisional Financial Manager/
East Coast Railway, Khurda Road Division,
At/P.O.-Jatni, Dist.- Khurda.
5. Asst. Engineer (A.E.N.),
East Coast Railway,
Jajpur Keonjhar Road,
At/P.O.-Jajpur Road, Dist.-Jajpur.

..... Respondents

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

V.R.

4
O R D E R (ORAL)

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

Heard Mr. N.R.Routray, Ld. Counsel for the applicant and Mr. T.Rath, Ld. Standing Counsel appearing for the Railways, on whom a copy of this O.A. has already been served.

2. M.A. 1043/12 filed for condonation of delay is allowed and, accordingly, disposed of.

3. From the records, it seems that the applicant has made a representation to Respondent No.2, i.e. Sr. Divisional Personnel Officer, E.Co.Railways, Khurda Road Division, Khurda vide representation dated 09.01.2012 ventilating his grievance. After hearing Mr. Routray, Ld. Counsel for the applicant and taking into account the age of the applicant, i.e. 71 years, I feel this O.A. can be disposed of with direction to the competent authority to consider and decide the pending representation.

4. Mr. T.Rath, Ld. Counsel for the Railways submitted that in fact Respondent No. 3, i.e. Sr. D.E.N., Co-ordination, East Coast Railways, Khurda Road Division, Khurda is the competent authority to decide the case of the applicant.

5. Taking into consideration the submissions made by Mr. Rath, Ld. Standing Counsel for the Railways, and as agreed to by Mr. Routray, Ld. Counsel for the applicant, without entering into the merit of this case, I dispose of this O.A. with direction to Respondent No.3, i.e. Sr. D.E.N., Co-ordination, East Coast Railways, Khurda Road Division, Khurda, to consider and dispose of the representation, if any such representation is made by the applicant within a period of two weeks from today, without taking into account the delay in filing representation, by way of reasoned and speaking



5
order within two months from the date of receipt of copy of the representation and communicate the result thereof to the applicant. If the applicant is found to be entitled to the dues as per rules, the same may be granted to him in another three months.

6. As prayed for by Mr. Routray, Ld. Counsel for the applicant, copy of this order along with paper book be sent to Respondent Nos. 2, 3, 4 and 5 at his cost.

7. With the aforesaid order and direction, the O.A. stands disposed of at the stage of admission itself.


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

RK