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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.516 OF 2013

Cuttack this the 5th day of August, 2013

CORAM

HON'BLE SHRI R.C.MISRA, MEMBER(A)

Narendra Kumar Mahanta, aged about 38 years, S/o. Chhotua Mahanta, presently residing at -Kanchichua, PO-Mangalpur, Via-Sukinda, Dist-Jajpapur

...Applicant

By Advocate(s)-Ms.Pami Rath

-VERSUS-

Union of India represented through

1. The Secretary, Ministry of Railway, Railway Bhawan, New Delhi
2. Chairman, Railway Board, Railway Bhawan, New Delhi
3. The General Manager, East Coast Railway, Samant Vihar, PO-Mancheswar, Bhubaneswar, Dist-Khurda
4. The Chief Personnel Officer, East Coast Railway, Samant Vihar, PO-Mancheswar, Bhubaneswar, Dist-Khurda
5. Dy.Chief Personal Officer, Recruitment, Railway Recruitment Cell, 2nd Floor, South Block, ECor Sadan, Samant Vihar, PO-Mancheswar, Bhubaneswar, Dist-Khurda



...Respondents

By Advocate(s)- Mr.T.Rath

ORDER

HON'BLE SHRI R.C.MISRA, MEMBER(A):

Heard Ms.Pami Rath, learned counsel for the applicant and Shri T.Rath, learned Standing Counsel for the Railways.

2. It is the case of the applicant that he had applied for the post of Junior Trackman & Helper in response to an Employment Notice dated 28.10.2006 issued by the Railway Recruitment Cell, East Coast Railway, Bhubaneswar. Accordingly, he had appeared at the written examination and on being qualified in the said test, he was called upon for physical efficiency test. Thereafter, he was short listed for document verification as communicated to him by the Railway Recruitment Cell vide Annexure-A/3 of the O.A. After he was called for document verification, he attended the same and at the end, he got a letter from the Railway Recruitment Cell vide Annexure-A/4 dated 31.7.2012, in which he was told that he could not produce the required document due to which his verification could not be completed. In addition to this, the applicant was asked to show cause by 13.8.2012 as to why his candidature should not be cancelled. In response to



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this, the applicant submitted his explanation on 13.8.2012 indicating therein that all the certificates had been duly submitted. However, along with the said explanation, he once again submitted the documents for the purpose of verification vide Annexure-A/5. Thereafter, he has not received any further communication regarding his selection. Therefore, on 6.5.2013 he has made another representation to the Deputy Chief Personnel Officer, Railway Recruitment Cell, who is Respondent No.5 in this O.A. mentioning that even though he had produced all the documents for verification, he has neither been given any appointment letter nor communicated any decision with regard to the same. He has, therefore, requested Respondent No.5 for issuance of the appointment letter for his appointment to the said post.

3. During the course of hearing, Ms.Rath, learned counsel for the applicant further mentioned that similar case in O.A.No.102/13 had come up before this Tribunal and it has been disposed of with direction to Respondents to dispose of the pending representation. She has accordingly, prayed for relief in this case.

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4. Shri T.Rath, learned Standing Counsel for the Respondents has mentioned that he has no objection if a simple direction is issued to the Respondents to dispose of the representation.

5. Taking into account the facts of the case and the submission of the learned counsel for both the sides, since a representation dated 6.5.2013 is pending before Respondent No.5, without going into the merits of the case, I direct Respondent No.5 to consider and dispose of the said representation and communicate the decision thereon to the applicant through a reasoned and speaking order within a period of three months from the date of receipt of this order.

6. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

7. Send a copy of this order along with paper book to Res.No.5 at the cost of the applicant, for which Ms.Rath undertakes to file the postal requisites by 6.8.2013.

8. Free copies of this order be made over to the learned counsel for both the sides.


(R.C.MISRA)
MEMBER(A)

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