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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 260/01104 OF 2014
Cuttack this the 29th day of April, 2015

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

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Sri Sudeep Ranjan Sahoo,
aged about 21 years,
S/o- Govinda Chandra Sahoo,
S/o. Purna Ch. Sahoo, At-Gadakana,
PO/PS. Mancheswar,
Dist. Khurda, Odisha.

.....Applicant

Advocate(s) Mr. D.K. Mohanty

VERSUS

Union of India represented through

1. Secretary, Railway Board,
Ministry of Railway, Rail Bhawan, New Delhi.
2. The General Manager, East Coast Railway,
Chandrasekharpur, Bhubaneswar, Dist-Khurda, Odisha.
3. Chief Personnel Officer, East Coast Railway,
Chandrasekharpur, Bhubaneswar, Dist-Khurda, Odisha.
4. Deputy Chief Personnel Officer(HQS),
East Coast Railway, Mancheswar, Dist-Khurda, Odisha.
5. The Deputy Commissioner,
Rail Co Ordination and Deputy Secretary to Government
Commerce and Transport (Transport) Department,
Odisha, Bhubaneswar, Dist-Khurda, Odisha.
6. The Chief Workshop Manager, Carriage Repairing Workshop, East
Coast Railway, Mancheswar, Bhubaneswar, Dist. Khurda, Odisha.
7. The Workshop Personnel Officer, Carriage Repairing Workshop, East
Coast Railway, Mancheswar, Bhubaneswar, Dist. Khurda, Odisha.
8. Govinda Chandra Sahoo, aged about 56 years, S/o. Purna Ch. Sahoo.
9. Rama Sahoo, aged about 51 years, D/o. Purna Ch. Sahoo.
10. Dolagobinda Sahoo, aged about 48 years, S/o. Purna Ch. Sahoo.
11. Nanda Kishore Sahoo, aged about 42 years, S/o. Purna Ch. Sahoo.
12. Babuli Kumar Sahoo, aged about 39 years, S/o. Purna Ch. Sahoo.
13. Tuni Sahoo, aged about 45 years, W/o. Jayadev Sahoo, D/o Purna Ch.
Sahoo of Mangalabag, Cuttack.

Sl. No. 8 to 12 are of Vill: Gada Kana, PO/PS: Mancheswar, Dist:
Khurda, Odisha.

..... Respondents

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



ORDER (ORAL)

A. K.PATNAIK, MEMBER (J):

Heard Mr. D.K. Mohanty, 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 provide employment assistance in lieu of acquisition of land belongs to his grandfather in terms of the RBE No.279/89 keeping in mind the order of the Hon'ble High Court of Orissa dated 09.04.2010 in OJC Nos.24 and 26 of 2002 (Chindamani Sahoo and others Vrs. Union of India and others) within a stipulated time to be fixed by this Hon'ble Tribunal;”

3. Mr. Mohanty, Ld. Counsel appearing for the applicant, submitted that the applicant is the grandson of a land displaced person. On 10.11.1989, a notification bearing No.279/1989 was issued for acquisition of land for construction of Rail Coach Repair factory at Mancheswar SE Rly. Certain guidelines were issued by the Rly. for appointment of Gr. C & D posts to one of the persons of the land outstee family members. In the year 1996 an area Ac.0.002 dec. of land stood in the name of applicant's grandfather (Purna Chandra Sahoo) was acquired by the Railway and Rs.5,600/- was also paid towards compensation. Though there is certain guidelines of Railways for appointment to Gr. C & D posts to one of the persons of the land oustee family members but till date no appointment has been given to any of the family members. Whereas appointment was



provided to other similarly situated land outstee persons. Mr. Mohanty submitted that the grievance of the applicant will be satisfied if a direction will be issued to Respondent No.1 to consider the representation preferred by the applicant dated 24.09.2013 a copy of which has also been sent to Respondent No.2 & 3.

4. Mr. T. Rath, Ld. Sanding Counsel submitted that at the time of land acquisition process, i.e. during the year 1987, compensation has already been paid to the owner of the land and therefore there is too delay on the part of the applicant to come up before this Tribunal.

5. In view of the aforesaid facts and the positive case of the applicant that his representation dated 24.09.2013 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 Nos.2 & 3 to consider the said representation as per Rules, if the same is still pending with them, 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.

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



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7. On the prayer made by Mr. Mohanty, Ld. Counsel for the applicant, copy of this order, along with paper books, be sent to Respondent Nos.2 & 3 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 01.05.2015.


(A.K.PATNAIK)
MEMBER(J)

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