

15.3.2000

Mr. J.K. Kaushik, counsel for the applicant.

Mr. R.K. Soni, counsel for the respondents.

Heard the learned counsel for the parties. The case of the applicant is that his case has not been considered by the respondents in terms of the Railway Board's letter dated 21.1.1993. From the records of the case and the submissions made by learned counsel for the applicant, we find that the applicant has not made any representation in terms of the Railway Board's letter. Unless there is a demand, the applicant can not file Writ of Mandamus.

In the circumstances, we dispose of the application as under :-

The application is dismissed as premature and the applicant is required to make representations to respondent No. 2 for consideration of his case in the light of above letter of Railway Board dated 21.1.1993 and the same shall be considered by respondent No. 2 in accordance with the law keeping in view the earlier judgements of this Tribunal within a period of three months from the date of representation made by the applicant. No costs.

With these observations, the OA is dismissed and disposed of accordingly.

*G*  
(GOPAL SINGH)  
MEMBER (A)

*B.S.*  
(B.S. RAIKOTE)  
VICE CHAIRMAN

Part II and III destroyed  
in my presence on 10.10.06  
under the supervision of  
sec. section officer as per  
order dated 29.01.06.

*[Signature]*  
Section Officer (Record)

*R/Copy  
on 22/3/00  
B.S.R.  
(B. Raikote)*

*Rd.  
Rai  
22/3*