

(IS)

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR**

Original Application No. 53/2008

Date of order: 10.03.2008

**HON'BLE MR. JUSTICE A.K. YOG, MEMBER (J)
HON'BLE MR. R.R. BHANDARI, MEMBER (A)**

Divakar Tiwari S/o Shri Om Prkaash Tiwari, aged 45 years, R/o Assistant Salesman, North Western Railway Consumer Cooperative Stores, Merta Road, Nagaur, (Raj.).

...Applicant.

Represented by - Shri Vivek Shah, advocate, holding brief of Shri K.K. Shah, counsel for applicant.

VERSUS

1. Union of India, through the General Manager, North Western Railway, Jaipur.
2. Divisional Railway Manager, North Western Railway, Jodhpur.
3. Assistant Personnel Officer, North Western Railway, Jodhpur.

... Respondents.

ORDER

By Justice A.K. Yog, Member (J)

Heard learned counsel for the parties.



The dispute raised in this O.A. is stale. The applicant seeks relief against some 'vacancies' relating to 1993 and thereafter. According to him, he had filed 'representations' dated 18.01.2003 and another in June 2005. According to the applicant, his representations have not been considered by the respondent-authorities.

The relief sought in this O.A. cannot be granted without entering into factual position: apart from the above it is also not

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certain - whether applicant had actually approached the authorities for redressal of his grievance promptly and expeditiously as now claimed in this O.A.

In the entirety of the circumstances, we direct the applicant to file a certified copy of this order along with a copy of this O.A. with all annexures, as well as additional representation (if any) within a period of four weeks from today - before concerned competent authority (i.e. respondent No. 2 - the Divisional Railway Manager, North Western Railway, Jodhpur) and the concerned authority shall consider and decide said representation / additional representation within a period of three months of receipt of certified copy of this order and pass a speaking / reasoned order in accordance with Act/Rules/Regulations/Circulars, etc., exercising unfettered discretion without being influenced by any of the observations made above. Decision so taken by the said authority shall be communicated to the applicant forthwith. If certified copy of this order is not submitted before the Authority within the time stipulated above, the said authority shall not be required to decide said representation/s and this order shall be rendered ineffective automatically.

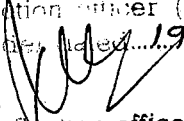


Accordingly, O.A. is finally disposed of.

R.R. Bhandari
(R.R. Bhandari)
Member (A)

A.K. Yog
(A.K. Yog)
Member (J)

Hand copy
file 14/3

Part II and III destroyed
in my presence on 01/12/14
under the supervision of
section officer (J) as per
order dated 19/8/2014

Section officer (Record)