

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR**

ORIGINAL APPLICATION NO. 77/2009

DATE OF ORDER: 15.07.2011

CORAM:

**HON'BLE DR. K.B. SURESH, JUDICIAL MEMBER
HON'BLE MR. SUDHIR KUMAR, ADMINISTRATIVE MEMBER**

Manjeet Singh S/o Shri Balwant Singh, aged 38 years, Travelling Ticket Examiner, North Western Railway, Marwar Junction, District Pali, R-12/F, Railway Colony, Near Railway Station, Marwar Junction, District Pali.

...Applicant.

Mr. Vijay Mehta, counsel for applicant.

VERSUS

1. Union of India through the General Manager, North Western Railway, Jaipur.
2. Divisional Railway Manager, North Western Railway, Jaipur.

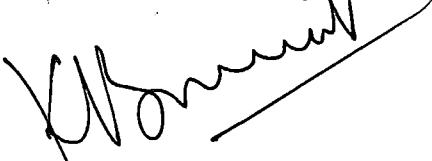
... Respondents.

Mr. Salil Trivedi, counsel for respondents.

**ORDER
(Per Dr. K.B. Suresh, Judicial Member)**

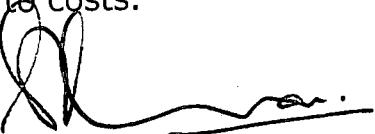
Vide order dated 11.09.2008 passed by a Bench of the Tribunal in OA No. 282/2007, the respondents were directed to consider the seniority position of the applicant and issue a speaking order. Vide Annexure A/1 dated 26.12.2008, the respondents have issued a speaking order, and in challenge of it, the applicant has come before us.

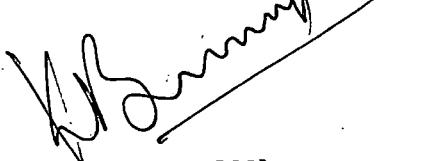
2. But on examining the matter, it seems to us that the grounds, which the applicant had raised in the O.A., can be effectively resolved by the respondents themselves, if the matter is remitted back to them. Therefore, we direct that this Original Application may be treated as a representation, and the



respondents shall consider the matter afresh in the light of the grounds taken in this Original Application and pass an appropriate order within four months next. But the learned counsel for the respondents raises a crucial issue, at this time, that issues like seniority must not be allowed to hang fire all the time, and there must be a conclusion at one point, therefore, it is made clear that all further rights of the applicant to raise this particular issue in an O.A. will be forfeited hereafter. This shall be a culmination of this issue. In view of this, the applicant shall also be personally heard by the concerned officer while passing an order.

2. Accordingly, the Original Application is disposed of. No order as to costs.


(SUDHIR KUMAR)
ADMINISTRATIVE MEMBER


(DR. K.B. SURESH)
JUDICIAL MEMBER

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