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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR**

**ORIGINAL APPLICATION NO. 331/2010
WITH
MISC. APPLICATION NO. 182/2010**

DATE OF ORDER: 12.07.2011

CORAM:

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

Narain Das Meena S/o late Shri Laduramji, aged 54 years, by caste Meena (ST), R/o village Keshavganj, Post Sivira, Tehsil Pindwara, District Sirohi. At present Ex Material Collector, Gr. I, Loco, Ajmer, N.W. Railway.

...Applicant.

Mr. Nitin Trivedi, counsel for applicant.

VERSUS

1. The Union of India through the General Manager, Northern Western Railway, Head Quarter Building, Jaipur.
2. The Divisional Railway Manager, Northern Western Railway, DRM Office, Ajmer.
3. The Chief Works Engineer, Northern Western Railway, Head Quarter Building, Jaipur.
4. Chief Workshop Manager, Loco, Northern Western Railway, Ajmer.

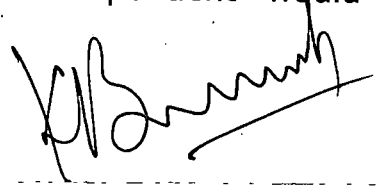
... Respondents.

Mr. Naresh Solanki, proxy counsel for
Mr. Vinay Jain, counsel for respondent nos. 1 & 2.
Mr. Manoj Bhandari, counsel for respondent nos. 3 & 4

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

This matter relates to the compulsory retirement of the applicant. It would appear that Annexure A/2 dated 26.05.2003, which is an appeal said to be pending before the concerned authority, according to the applicant. We think it proper that substantial justice can be arrived at if we direct the respondents concerned to dispose of the statutory appeal within a time frame. The 2nd respondent would submit that it is the

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respondent no. 3 who is the authority to hear the appeal, and apparently the applicant had submitted the appeal to the wrong person i.e. the respondent no. 4. So the respondent no. 4 is directed to convey the said appeal and connected papers to the respondent no. 3 within a period of two weeks next from now, and within one month, thereafter the respondent no. 3 shall hear the applicant and finalize the appeal and pass a speaking order and serve a copy upon the applicant. At this point, the learned counsel for the respondent no. 3 & 4 would submit that he is not aware whether any appeal is filed or pending, but then the respondent no. 2 had filed a reply, and in paragraph 2 of the reply, it is mentioned that an appeal ought to have been filed by the applicant to the respondent no. 3, but the applicant submitted his appeal dated 26.05.2003 to the respondent no. 4, which is pending with the wrong officer. We do not find any reason to suspect the bonafides in the reply filed by the respondent no. 2. Therefore, the respondent no. 4 shall convey the said appeal with the connected papers to the respondent no. 3 within two weeks next as aforesaid, and the respondent no. 3 shall dispose of it in accordance with the directions given as aforesaid.

2. The Original Application is, thus, allowed to the limited extent as stated above. The Misc. Application for condonation of delay is also disposed of. No order as to costs.


(SUDHIR KUMAR)
ADMINISTRATIVE MEMBER


(DR. K.B. SURESH)
JUDICIAL MEMBER