

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

OA. 924 of 1997.
(UNLISTED)

Date of Order: 11.8.97.

Present: Hon'ble Mr. Justice A.K. Chatterjee, Vice-Chairman.
Hon'ble Mr. M.S. Mukherjee, Administrative Member.

JAGABANDHU GHOSH

-VS-

UNION OF INDIA & ORS.

For the petitioner: Mr. B.C. Sinha, counsel, Mr. P.C. Das, counsel.
For the respondents: NONE.

Heard on: 11.8.97.

O R D E R

A.K. Chatterjee, V.C.

This application has been filed by the petitioner as he is aggrieved by an Order dated 1st August, 1997, whereby he was directed to work in the Office of The Station Manager, Eastern Railway, Mughalsarai and to perform duties as per the direction ^{given therein}. He is working as a Travelling Ticket Inspector, Eastern Railway, Mughalsarai. It is his contention that as per the Order dated 3.8.91 at Annexure-A.1 at page 16 of this application, the petitioner was posted as an Incharge of ^{hand} Flying Squad at Mughalsarai under the direct control of the Additional Divisional Railway Manager, Mughalsarai but the Order dt. 1.8.97 passed by the Assistant Commercial Manager was without the approval of the Additional Divisional Manager. In such circumstances, it is contended that the impugned Order dated 1.8.97 be set aside.

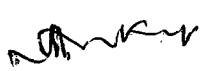
We have heard the ld. counsel for the petitioner and

preused the records together with annexures. It appears that the Order dt.1.8.97 has been passed by the Senior Divisional Commercial Manager who, according to the petitioner, was not the competent authority. In such circumstances, we are of the opinion that this application, seeking cancellation of the impugned Order dt.1.8.97, should be treated as a representation before the competent authority. *We do not express any opinion on the petitioner's contention.*

We, therefore, dispose of the application at this stage with a direction upon the respondents, particularly upon the respondent no.4 herein, to treat this application as a representation ~~before competent authority~~ ^{as a representation} for the ~~claims~~ ^{claims} made therein and to dispose it of by passing a speaking order ~~result of which shall immediately~~ ^{which shall immediately} be communicated to the applicant, *immediately after it is passed.*

Order passed this day shall be communicated by the petitioner to all the respondents with a copy of the application and the annexures.

Certified copy of this Order be given to the ld.counsel for the petitioner within 48 hours.


(M.S.Mukherjee)
Member(A)


(A.K.Chatterjee)
Vice-Chairman.