

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.243/05

Wednesday this the 6th day of April 2005

C O R A M :

**HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR.H.P.DAS, ADMINISTRATIVE MEMBER**

K.Surendran Nair,
S/o.Sri Kumara Pillai,
IOW/TVC, Southern Railway,
Thycaud P.O., Thiruvananthapuram.
Residing at Krishna Kripa, Puthiyankulangara,
Arayoor P.O., Thiruvananthapuram.

...Applicant

(By Advocate Mr.M.R.Gopalakrishnan Nair)

Versus

1. Union of India represented by the General Manager,
Southern Railway, Chennai.
2. The Senior Divisional Personnel Officer,
Southern Railway, Thiruvananthapuram – 14.

...Respondents


(By Advocate Mr.Thomas Mathew Nellimoottil)

This application having been heard on 6th April 2005 the Tribunal on the same day delivered the following :


ORDER

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

The applicant was engaged as Casual Labourer in the Project Line on 10.5.1978 and he continued as such till 10.10.1984. Subsequently he was transferred to Open Line on 30.6.1984 and continued till 10.10.1984, when his services was terminated on the ground that he was medically unfit in B1 Class. While his juniors, who were medically declared unfit in B1 Class were offered alternative employment and subsequent regularisation. Earlier, the applicant has filed O.A.76/90 and pursuant to



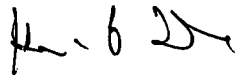
the direction of this Tribunal the applicant was reinstated in service during the year 1991 and regularized with effect from 25.2.1997 without giving retrospective effect from 11.10.1984. The applicant being aggrieved by the non consideration of the service rendered from 1984 to 1997 has filed this application seeking the following reliefs :

1. Direct the respondents to regularise the service of the applicant with retrospective effect from 11.10.1984 with all consequential benefits, when his juniors were given alternative employment and regularized their services.
 2. Direct the 2nd respondent to consider and pass orders on Annexure A-2 representation within a time frame to be fixed by this Hon'ble Tribunal.
2. When the matter came up for hearing Shri.M.R.Gopalakrishnan Nair appeared for the applicant and Shri.Thomas Mathew Nellimoottil appeared for the respondents. Learned counsel for the applicant submitted that he has filed numerous representations including Annexure A-2 dated 6.12.2004 which has not been considered so far. He submitted that he will be satisfied if a direction is given to the respondents to consider and dispose of Annexure A-2 representation of the applicant within a time frame. Learned counsel for the respondents submitted that he is not aware whether such a representation has been received by the respondents or not.
3. In the light of what is stated above and in the interest of justice, we direct the 2nd respondent to consider and dispose of Annexure A-2 representation of the applicant within a time frame of two months from the date of receipt of a copy of this order. Since the counsel for the respondents submitted that he is not aware whether such a representation has been received by the respondents or not we direct the applicant to
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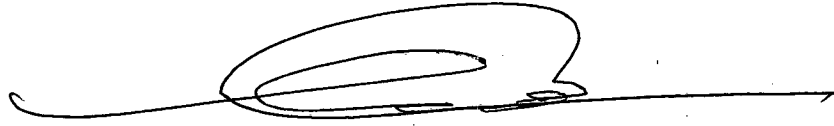
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send a copy of the O.A along with the representation to the respondents forthwith. The O.A is disposed of accordingly. In the circumstances, no order as to costs.

(Dated the 6th day of April 2005)



H.P.DAS
ADMINISTRATIVE MEMBER



K.V.SACHIDANANDAN
JUDICIAL MEMBER

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