

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 251
T. A. No.

1991

DATE OF DECISION 26.3.92

P.T. Ponnappan

Applicant (s)

Mr. K. Ramakumar

Advocate for the Applicant (s)

Versus

The Union of India represented by
the General Manager, Southern Railway, Madras and others

Respondent (s)

Smt. Sumathi Dandapani

Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. P. S. HABEEB MOHAMED, ADMINISTRATIVE MEMBER

The Hon'ble Mr. N. DHARMADAN, JUDICIAL MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. To be circulated to all Benches of the Tribunal? *No*

JUDGEMENT

MR. N. DHARMADAN, JUDICIAL MEMBER

The applicant is a member of the Scheduled Caste community who worked as a substitute Sanitary Cleaner under the Health Inspector, Southern Railway, Kottaym from 21.12.80 to 17.1.1981. Thereafter, according to the applicant, he was not given work, but some of his juniors were re-engaged without ~~being~~ ^{being} given opportunity to the applicant. He also submitted that juniors were re-engaged and absorbed as Sanitary Cleaners after medical examination. The applicant ~~has~~ ^{has} submitted Annexure-A and B- representations giving all details regarding the engagement of his juniors. According to the applicant, these representations have not been disposed of so far.

2. Today when the matter came for admission, the learned counsel, Smt. Sumathi Dandapani, who appears on behalf of the respondents submitted that the respondents are not in a position to locate the representation and the application itself can be disposed of treating the representation Annexure-B as a representation submitted before the second respondent and directing the respondents to dispose of the same. The learned counsel for the applicant is also agreeable to the suggestion.

3. Accordingly, having regard to the facts and circumstances of the case, we are of the view that this application can be disposed of with direction to the second respondent. Hence, we/ ^{/admit the application and} direct the second respondent to treat Annexure-B as ~~the~~ ^{by} representation submitted as on 31.12.1991 for consideration. ^{by} ~~Accordingly, we~~ ^{further by} direct the second respondent to consider Annexure-B and pass orders as early as possible, at any rate within a period of two months from the date, ^{of receipt of this order. by} If the applicant is not satisfied with the decision on the representation, it goes without saying that he can take appropriate action, if so advised, as provided under ^{law. by} rules.

4. The application is disposed of as above. There will be no order as to costs.


(N. DHARMADAN)
JUDICIAL MEMBER


(P.S. HABEEB MOHAMED)
ADMINISTRATIVE MEMBER