

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

.....

O.A. No. 356 of 1994.

Friday this the 10th day of March, 1995.

CORAM:

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER
HON'BLE MR P SURYAPRAKASAM, JUDICIAL MEMBER

V. Edwin Jayaraj,
Clerk,
O/o the Chief Permanent Way
Inspector,
Southern Railway,
Palghat.

.. Applicant

(By Advocate Shri P. Ramakrishnan)

Vs.

1. Union of India, through the
Secretary to Ministry of
Railways,
Railway Board, New Delhi.
2. The Chairman, Railway Board,
Rail Bhavan, New Delhi.
3. The Divisional Railway
Manager,
Southern Railway, Palghat.
4. The Divisional Personnel
Officer,
Southern Railway, Palghat. .. Respondents

(By Advocate Shri KV Sachidanandan)

O R D E R

PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Applicant who is an empanelled Gangman states
that he has been performing the duties of an office clerk
from 21.1.1977. After a long period, he has been asked

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by A-17 dated 1.2.95 to report to his parent gang.

Learned counsel for applicant states that he is now

on leave. Applicant had earlier filed O.A- 1544/91

and the Tribunal by A-4 order directed the representation

of the applicant to be considered by the competent authority.

Applicant contends that in pursuance of the directions

of the Tribunal, he submitted a representation to the

Chairman Railway Board (Annexure A5). Instead of the

representation being disposed of by the Chairman Railway

Board, it was disposed of by the Divisional Personnel

Officer by order A6 dated 31.1.90. Applicant apprehends

that his case has not been considered by the competent

authority.

2. After considering the submissions of both counsel,

we permit the applicant to file an appeal before the

appellate authority stated to be the Chief Personnel Officer

against the orders in A-6. He may do so within 15 days.

The competent authority shall consider the appeal in spite

of the fact that considerable time has elapsed after

A6 order, since the matter has been under consideration

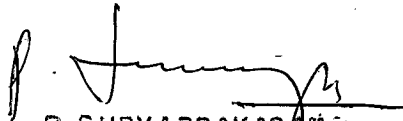
in this O.A. from 28.2.94, and pass appropriate orders

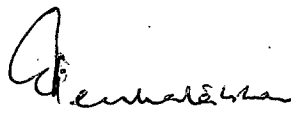
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within two months from the date of receipt of the appeal. Appellate authority shall also consider whether pending disposal of the appeal applicant may be permitted to continue to perform office duties which he claims to have been performing till he went on leave.

3. Application is disposed of with the aforesaid directions. No costs.

Friday this the 10th day of March, 1995.


P SURYAPRAKASAM
JUDICIAL MEMBER


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

List of Annexures

1. Annexure-A4: True copy of the Judgement in O.A. No.1007/91 and O.A.1544/91 dt. 26.7.93 of this Tribunal.
2. Annexure-A5: True copy of the representation dt. 16.8.93 submitted by the applicant to the Chairman, Railway Board, New Delhi (2nd respondent).
3. Annexure-A6: True copy of the Letter No.J/P. CAT 1544/91 dated, 31.1.94 issued by the Divisional Personnel Officer, Palakkad (4th respondent)
4. Annexure-A17: True copy of letter No.W/PTJ/Court Case dated 1.2.1995 from the Permanent Way Inspector, Podannur to Chief Permanent Way Inspector, Works Branch, Palghat