

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

O.A. 603/2005

LUCKNOW, THIS THE 19th DAY OF DECEMBER, 2005.

HON'BL JUSTICE M.A. KHAN VICE CHAIRMAN V.C.

HON'BLE SHRI S.P. ARYA, MEMBER (A)

Dr. Atul Kumar Agarwal, aged about 54 years son of late Sri B.L. Agarwal, presently posted as Senior Divisional Medical Officer (SG), Northern Railway, Extra Divisional Hospital, R.D.S.O., Lucknow and resident of C-162, R.D.S.O. Colony, Lucknow..

Applicant.

By Advocate: Sri S.P. Singh

Versus

1. Union of India through Secretary, Ministry of Railways, Lucknow.
2. Railway Board, New Delhi through its Chairman.
3. The General Manager, Northern Railway, Baroda House, New Delhi.
4. Director General, Research Design and Standard Organisation, Manak Nagar, Lucknow.
5. The Executive Director (Finance), Research Design and Standard Organisation, Manak Nagar, Lucknow.

Respondents.

By Advocate: Sri S.M.S.Saxena

Order (Oral)

HON'BL JUSTICE M.A. KHAN VICE CHAIRMAN V.C.

Heard counsel for both the parties.

2. The applicant is working as Senior Divisional Medical Officer with the respondents. His pay and allowances has been revised and reduced by order dated 25th October, 2005 (Annexure -1 to the O.A.) which is impugned in the present O.A.

3. The respondents have not filed counter reply but it has been pointed out by the learned counsel for respondents that in para 4.16 of the O.A., it has been stated that applicant had made a representation against the reduction of his pay by impugned order which is still pending with the respondents. The applicant has also annexed a copy of the representation to his O.A. (Annexure No.4 to the O.A.).

4. At the time of hearing it was suggested and it has been agreed by the Learned Counsel for the parties that the respondents be directed to consider the representation of the applicant and take a decision thereon within time fixed by the Tribunal. Learned counsel for applicant has submitted that this application also be treated as additional representation made by the applicant to the respondents for redressal of

Handwritten signature

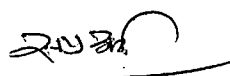
his grievance and respondents be directed to decide the same along with his earlier representation by a reasoned order. Learned counsel for respondents has agreed with this.

5. Accordingly the present Original Application directed to be treated as additional representation made by the applicant for redressal of his grievance pleaded therein. Respondents are directed to consider the additional representation along with earlier representation, copy of which is annexed as Anneuxre No. 4 to the O.A. and decide the same by reasoned order within a period of 3 months from the date of which the certified copy of the aforesaid representation along with copy of the order of this Tribunal is received by them.

5. Counsel for applicant has undertaken to supply copy of the aforesaid representation and additional representation along with the copy of this order to the respondents within 2 weeks.

6. The respondents shall not proceed to make further recovery from the pay of the applicant in pursuant to the order dated 25th October, 2005 till the aforesaid representations are decided

7. O.A. stands disposed of in terms of the above directions. Copy of the order be given Dasti. No order as to costs.


(S.P. ARYA)
Member (A)


(M.A. KHAN)
Vice Chairman

HLS/-