

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 196 /2010

This the 6th day of May, 2010

Hon'ble Mr. Justice Shiv Charan Sharma, Member (J)

Hon'ble Dr. A.K. Mishra, Member (A)

Mohd. Yunus Hussain aged about 58 years son of Mohd. Yusuf Hussain, r/o 13, Rajeev Nagar Sector 11, Indira Nagar, Lucknow.

Applicant

By Advocate: Sri A. Moin

Versus

1. Union of India through General Manager, Northern Railway, Baroda House, New Delh.
2. Chief Signal and Telecom Engineer, Baroda House, New Delhi.
3. Addl. Divisional Railway Manager II, Northern Railway, Hazratganj, Lucknow.
4. Sr. Divisional Signal and Telecom Engineer, Northern Railway, Hazratganj, Lucknow.

Respondents

By Advocate: Sri B.B. Tripathi for Sri N.K. Agrawal

ORDER (oral)

Hon'ble Mr. Justice Shiv Charan Sharma, Member (J)

We have heard Sri A. Moin, Advocate for the applicant and Sri B.B. Tripathi brief holder for Sri N.K. Agrawal for respondents. And we have perused the entire material of the case.

2. During the argument, learned counsel for the applicant made an innocuous prayer that revision petition is pending before the respondent No.1 and he is not deciding the revision petition since 21st December, 2009 and this O.A. may be disposed of finally with a direction to respondent No.1 to decide the revision petition within a specified time.

3. Learned counsel for the respondents argued that the O.A. is pre-mature. Prior to final disposal of the revision petition, the applicant is not entitled to file O.A. as has no cause of action and it must be dismissed.

4. This O.A. is finally disposed of. However, respondent No.1 is directed to decide the revision petition of the applicant within a period of 3 months from the date when the copy of this order is received to him.


(Dr. A.K. Mishra)
Member (A)


(Shiv Charan Sharma)
Member (J)

HLS/-