

Original Application No.476/2003.

this, the day of 05.11.2003.

HON'BLE MR. KULDIP SINGH, MEMBER (J).

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

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Mohd. Rais, Son of Shri Garibulla,  
aged about 54 years, Resident of,  
Village-Paltu Ka Purwa (Ghosiyana),  
Pargana Meeranpur, Tehsil & District,  
Sultanpur.

... Applicant.

By Advocate:-Shri. A.K. Balediha.

Versus.

Union of India through,  
Chairman,  
Railway Board,  
New Delhi.

2. General Manager (P),  
Northern Railway,  
Baroda House,  
New Delhi.

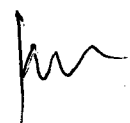
3. Divisional Manager, (D.R.M.),  
Northern Railway,  
Hazratganj, Lucknow.

4. Divisional Personel Officer,  
Northern Railway,  
Hazratganj, Lucknow.

5. Station Superintendent,  
Railway Station,  
Northern Railway,  
Sultanpur.

... Respondents.

By Advocate:-Shri P. Kumar.



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O R D E R ( O R A L )

BY MR. KULDIP SINGH, MEMBER (J).  
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The applicant has filed this O.A. stating his grievance on account of non-compliance of the direction given by the Circular dated 17.9.1999.

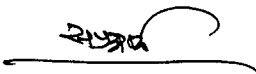
2. The facts of the case in brief are that he was initially engaged as Shuntman in the pay scale of Rs.2650-4000 and thereafter made to work on ad-hoc basis on the post of Shunting Jamadar and he was worked on the said post for about 13 and 14 years. It is also stated that during the service period the applicant has always awarded by the Rail Authorities in the year 1985 1991 and 1997. Prior to 1999 the promotion of the Shunting Jamadar was the criteria of the oral interview and the applicant was appeared in the test conducted for the said post. However, the applicant has not challenged the same in this case.


3. The Learned Counsel for the parties have been heard. It is pointed out by the learned counsel for the applicant that the applicant has submitted a representation dated 22-09-2001 (Annexure-8) and also a legal notice 13-09-2002 (Annexure-9) to the respondents but the same are not decided by the respondents and no reply has been given to the applicant. It is submitted that the direction may be issued to the respondents to consider and pass appropriate order on the said representations.



4. After hearing counsel for the parties, the O.A. is disposed of with the direction that the representations made by the applicant dated 22.09.2001 and 13.09.2002 shall be decided by the competent authority by a reasoned and speaking order within a period of three months from the date of receipt of the copy of this order after taking into consideration all the grounds reised in the representation under intimation to the applicant. If any grievance survives even thereafter, the applicant will be at liberty to approach this Tribunal as per Law.

5. The Original Application is disposed of as above without any order as to costs.

  
MEMBER (A)

  
MEMBER (J).