

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Original Application No.330/2008
This the 19th day of September 2008

HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.

Ashok Kumar Pathak, aged about 41 years, son of Late Shri Ram Surat, resident of Village-Mahuli Pure Ayodhya Pandey, Post-Bhawari Baldi rai, District-Sultanpur.

...Applicant.

By Advocate: Shri D.N. Tripathi.

Versus.

1. Union of India through the Secretary, Ministry of Railway, Baroda House, Rafi Marg, New Delhi-110011.
2. The Chairman, Railway Board, Baroda House, Rafi Marg, New Delhi-110011.
3. Divisional Railway Manager, Northern Railway, Lucknow.
4. Section Engineer (Works), Northern Railway, Lucknow.

... Respondents.

By Advocate: Shri N.K. Agrawal.

ORDER (Oral)

BY HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.

Learned counsel for the applicant submits that the applicant filed this OA with a prayer to issue direction to the respondents for his appointment on compassionate ground that he made a representation covered under (Ann.-A-1) Dt.29.07.2008 which is pending consideration. The learned counsel for respondents raised preliminary objections stating that OA is premature.

2. Heard both sides.



3. At this stage, counsel for applicant states that if a direction is given to the authorities for disposing of his pending representation as per rules, the purpose of OA would be served. When the representation of the applicant is still pending issuing of any direction to the respondents allowing the claim of the applicant is not at all justified.

4. In view of the above circumstances and for the fair and just disposal of the proceedings, OA is disposed of with a direction to the Respondent No.3, to consider the pending representation of the applicant dated 29.07.2008 (Annexure-A-1) and to pass reasoned order as per the rules and regulations within a period of three months from the date of receipt of the certified copy of this order. The applicant is also directed to supply a copy of his representation dated 29.07.2008 (Annexure-A-1) along with the copy of this order to Respondent No.3. No order as to costs.


(M. KANTHAIAH)
MEMBER (J)

19-09-2008

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