

OA-471/96

Sri. Ashrafi Rai.

1/30.9.96

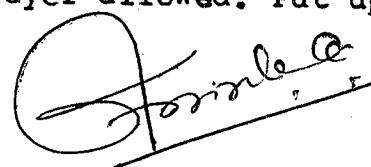
Defect

AM 9/96
11/10/96

Sri. S. P. Sinha, Dy. Registrar I/C.

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The learned counsel for the applicant is present and prays for time for removal of defects. Prayer allowed. Put up on 3.10.96 for removal of defects.



(S. P. Sinha)
Dy. Registrar I/C

PKL

2/03.10.96

Shri S.P.Sinha, Dy. Registrar I/C

Shri K.P.Singh, learned counsel for the applicant is present. The instant application is free from defects. Let it be registered and placed before the Hon'ble Bench on 07.10.1996 for hearing on admission.



(S. P. Sinha)
Dy. Registrar I/C

SKJ

In the Central Administrative Tribunal,
Patna Bench, Patna.
OA - 471/96

3. / 10.10.96. Shri K.P. Singh, the counsel for the applicant.

Heard learned counsel for the applicant on the question of admission. The applicant / Shri Asharfi Rai was appointed to class IV post in December, 1961 in Samastipur Division of North Eastern Railway. It is stated that his date of birth is 15.12.1940, but before the completion of 58 years of service on the basis of this date of birth, he has been abruptly retired from the service on 12 June, 95 in an illegal manner. The contention of the applicant is that the impugned order of his premature retirement has been issued due to clerical mistakes in the office of the respondents. It is stated that there is another person in the same name Asharfi Rai who is son of Ram Charitar Rai and hails from Muktapur, Distt. Darbhanga, whereas the applicant is the son of late Rami Rai, Village- Dharampur. Susta P.O.- Mohammadpur Susta, P.S.- Sakara. Distt- Muzaffarpur. By mistake the father's name and other particulars of Asharfi Rai who is son of Ram Charitar Rai has been wrongly recorded in the applicant's service book, and on the basis of which he has been retired from service prematurely. The learned counsel for the applicant further submits that the applicant submitted representation dated 20.6.95 addressed to the General Manager (Personnel), followed by several representations as at Annexure D and E, the last representation being addressed to the Minister for Railways and copy to the General Manager, N.E. Rly, P.T.O.

Gorakhpur and others.

2. After going through the averments on record and considering the submissions of the learned counsel for the applicant, I am of the view that this application can be disposed of by giving a suitable direction to the respondents to consider and dispose of the representations submitted by the applicant by reasoned and speaking order, after having checked up the position on record. Accordingly, I hereby direct the respondent No. 2 (General Manager) North Eastern Railway, Gorakhpur) to consider and dispose of the representations of the applicant at Annexures C dated 12.6.95 by a reasoned and speaking order within a period of three months from the date of receipt of copy of this order alongwith copy of the OA 471/96. The learned counsel for the applicant is also directed to send copy of the OA alongwith copy of the order of this Tribunal to respondent No. 2 within a month from today.

3. With this observation, this application is disposed of. No order as to costs.

/CBS/


(K.D.Saha)

Member (A)