

CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT MUMBAI

ORIGINAL APPLICATION NO. 1036/98

Date of Decision: 8/2/99

George.T. Petitioner/s

Shri G.S.Walia Advocate for the
Petitioner/s.

v/s.

Union of India & Anr. Respondent/s

Shri V.S.Masurkar Advocate for the
Respondent/s

CORAM:

Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman.

Hon'ble Shri D.S.Baweja, Member(A)

(1) To be referred to the Reporter or not? *W*

(2) Whether it needs to be circulated to *W*
other Benches of the Tribunal?

abp.

R.G.Vaidyanatha
(R.G.VAIDYANATHA)
VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GULE STAN BLDG. NO. 6, 4TH FLR, PRESCOT RD, FORT,
MUMBAI - 400 001.

ORIGINAL APPLICATION NO:1036/98.

DATED THE 8TH DAY OF FEBRUARY, 1999.

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman.

Hon'ble Shri D.S.Baweja, Member(A).

George T,
Retired Western Railway employee,
Residing at

C/o. Shri Bala Krishnan Nair,
Janata Tea Stall,
Near Ambica Mill,
Lower Parel,
Mumbai - 400 013.

... Applicant.

By Advocate Shri G.S.Walia

V/s.

1. Union of India, through
General Manager,
Western Railway,
Head Quarters Office,
Churchgate,
Mumbai - 400 020.

2. Chief Engineer,
(Survey and Construction),
Western Railway,
Head Quarters Office,
Churchgate,
Mumbai - 400 020.

... Respondents.

By Advocate Shri V.S.Masurkar

I O R D E R X

Shri R.G.Vaidyanatha, Vice Chairman

Shri V.S.Masurkar appears on behalf of respondents
and submits that the applicant has not submitted any
representation and therefore the OA is not maintainable.
We have heard Shri G.S.Walia for Applicant and Shri V.S.Masurkar
for Respondents.

In this application, the applicant is claiming
arrears of salary from 1/10/72 on the basis of the Railway
Board Circular and inspite of judgements dated 3/12/93 in
OA-2171/85 by Jaipur Bench and another judgement dated



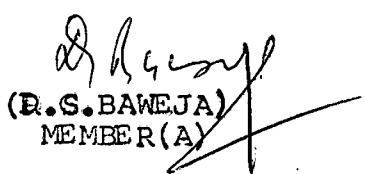
2/1/95 in OA 382/94 of Bombay Bench.

2. In our view, it is desirable that the applicant should make a proper representation to the respondents by mentioning all the facts and the necessary rules and the previous judgements.

3. If such a representation is made, then the administration should consider the same according to law and dispose of the same. Needless to say if the applicant is aggrieved by any order passed by respondents he can challenge the same according to law. We are not expressing any opinion on the merits of the claim of the applicant at the present stage.

4. In the result, the OA is disposed of at admission stage with a direction to applicant to make a representation to the respondents and if such a representation is made, the administration may dispose of the same within one month from the date of receipt of representation. No orders as to costs.

abp.


(D.S. BAWEJA)
MEMBER (A)


(R.G. VAIDYANATHA)
VICE CHAIRMAN