

16

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD
BENCH AT HYDERABAD

O.A.No.811 of 1989

Date of Order: 20-10-89.

M.Nagaraja Rao

...Applicant

Versus

General Manager,
South Central Railway,
Railnilayam Secunderabad & 4 others.

...Respondents

Counsel for the Applicant : Shri G.V.Subba Rao

Counsel for the Respondents : Shri N.R.Devaraj

CORAM:

HONOURABLE SHRI D.SURYA RAO : MEMBER (JUDL)(I)

HONOURABLE MS.USHA SAVARA : MEMBER (ADMN)
(Jodhpur Bench)

(Judgment of the Bench dictated by Hon'ble
Shri D.Surya Rao, Member (J))

The applicant herein who was appointed as Junior
Clerk on compassionate grounds in the Hubli Division of
South Central Railways by an office order No. H/P563/IV/
Clerks dated 11-1-1988. Complains that he has been illegally
exonerated from his responsibilities from his date

The applicant joined duty as clerk on 20-01-1988. On
21-1-88 an interview took place and he/directed to go and
see A.M.E. On 23-1-88 he was not given audience by the
AME. He states that therefore he went to Secunderabad
which is his native place and reported sickness from
25-01-1988. When he sought to resume duty on 18-9-1988
he was informed that he was removed from service.
gave a representation to the 3rd respondent namely

To

1. General Manager, South Central Railway,
Railnilayam, Secunderabad.
2. Chief Personnel Officer, South Central Railway,
Railnilayam, Secunderabad.
3. Divisional Railway Manager(Personnel),
South Central Railway, Hubli.
4. Asst. Mechanical Engineer(Loco),
South Central Railway, Hubli.
5. Loco Foreman, South Central Railway,
Castle Rock.
6. One copy to Mr. G.V.Subba Rao, Advocate,
H.No.1-1-230/33, Chikkadapally, Hyderabad.
7. One copy to Mr.N.R.Devaraj, S.C. For Rlys.,CAT,
Hyderabad.
8. One spare copy.

ghm/

... 2 ...

Divisional Railway Manager. No orders have been passed.

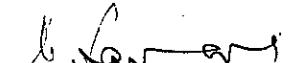
Therefore he approached the Tribunal seeking a direction to the respondents to put him back to duty.

2. We have heard learned counsel for the applicant Shri G.V.Subba Rao and Shri N.R.Devaraj, learned standing counsel for the respondents.

3. It is clear that the applicant made a representation to the Divisional Railway Manager asking for the very same relief asked ^{for} herein. The said application is yet to be disposed-of. Under section 20(b) of the Administrative Tribunals Act, 1985, where no final order have been passed by the competent authority in regard to the ~~application~~ ^a representation made by the ~~applicant~~, if a period of six months from the date on which a representation was made has ^{In the instant case the six months period has not expired} expired, the applicant can approach this Tribunal. It is accordingly dismissed as premature. The 3rd respondent is directed to dispose-of the representation made by the applicant dated 18-09-1989 if received, within three months from the date of the receipt of this order.



(D.SURYA RAO)
Member (J)(I)



(M.S.USHA SAVARA)
Member (Admn) (Jodhpur Bench)

Dated : 20th October, 1989.
Dictated in open court

AVL.

31/10/89
Deputy Registrar

DRAFT BY

CHECKING BY

D.R.A

TYPED BY

SD

31/10

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH

HON'BLE MR. B. N. JAYASIMHA: V. C.
AND

HON'BLE MR. D. SURYARAO: MEMBER (J)

AND
HON'BLE MR. S. K. SHAKRAVORTY: M (AD.)

HON'BLE MR. J. NARA-SIMHA-MURTHY: M (J)

DATED : 27.10.89

ORDER/JUDGMENT

T.A. No. — / — (W.P. No. —) /

O.O.A. No. 811 / 89

Allowed

Dismissed—

Disposed of

Ordered

No order as to costs.

PSB



31/10/89