

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.251/99

dt.8-3-99

Between

Ch. Lakshmi

: Applicant

and

1. Union of India, rep.
by General Manager
SE Rly., Calcutta 700043

2. Chief Admn. Officer(C)
SE Rly., Chandrasekharpur
Bhabaneshwar, Orissa

3. Chief Engr.(Con)
SE Rly, Visakhapatnam-4

4. Dy. Chief Ele.Engr.(Con.)
SE Rly, Visakhapatnam-4

5. Divnl. Rly. Manager
SE Rly., Waltair

: Respondents

Counsel for the applicant

: B.S.H. Rao
Advocate

Counsel for the respondents

: C.V. Malla Reddy
SC for Rly.s

Coram

Hon. Mr. Justice DH Nasir, VC

Hon. Mr. H. Rajendra Prasad, M(A)

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Order

Oral order (per Hon. Mr. Justice D.H. Nasir, VC)

Heard learned counsel for the rival parties at length.

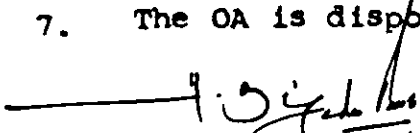
1. The applicant is challenging the action of the respondents in cancelling the office order dated 13-6-91 of the Dy. CEE(C)/SER/VSKP which was issued after as many as seven years resulting in continuing the applicant in PCR seniority unit and consequent denial of her alleged right to be regularised over the similarly situated Junior Clerks of PCR Cadre.
2. The applicant seeks quashing of the impugned order No.E/56/PCR/Representation/8917 dated 29-9-98 and 5-11-98 issued by CE(Con)/SE Rly.s/Visakhapatnam. The applicant also seeks a relief to the effect that her PCR status be restored and her services regularised ^{as} Jr.Clerk/Sr.Clerk/Hd. Clerk as per her seniority as granted to similarly situated PCR staff under Office order dated 5-1-1999 and 11-1-1999 and to grant consequential attendant benefits including arrears of salary, increments etc.
3. The applicant has already submitted a representation dated 16-12-1998 expressing the aforesaid grievances but the same has not been replied to or responded by the respondents so far.
4. From the submissions made by the rival parties it emerges that interest of justice will be served if Respondent-2 is directed to consider the representation made by the applicant and to pass necessary order as it may ^{be} deemed necessary ^{by} for him after giving the applicant an opportunity of hearing, ^{after} and therefore to dispose of the same by a speaking order on merits.


5. This exercise shall be completed by Respondent-2 within two months from the date of receipt of the copy of this order.

6. It is further directed that one post in the Senior Clerk cadre shall be kept vacant if it is vacant today, till the representation is disposed of by Respondent-2.


7. Copy of this OA is directed to be forwarded to Respondent-2 so as to facilitate in considering the representation which has already been directly made by the applicant to the respondents.

7. The OA is disposed of accordingly. No costs.


(H. Rajendra Prasad)
Member (Admn.)


(D.H. Nasir)
Vice Chairman

Dated : March 8, 99
Dictated in Open Court


Justice

sk