

(M)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH  
JAIPUR.

O.A.No.34/94

Dt. of order: 27.1.94

Birendra Singh Pippal : Applicant

Vs.

Union of India & Ors. : Respondents

Mr.Anil Khanna : Counsel for applicant

CORAM:

Hon'ble Mr.Gopal Krishna, Member(Judl.)

Hon'ble Mr O.P.Sharma, Member(Adm.).

PER HON'BLE MR.GOPAL KRISHNA, MEMBER(JUDL.).

Applicant Birendra Singh Pippal, in this application under Sec.19 of the Administrative Tribunals Act, 1985, has prayed for a declaration that the order putting him off from duty dated 15.9.92, is illegal. The applicant has also sought a direction to the respondents to allow him to resume his duties forthwith as also for payments of the due wages. In the alternative the applicant has prayed that the representation submitted by him before the respondents be decided within 15 days of the receipt of order, if any, passed by this Tribunal.

2. We have heard the learned counsel for the applicant. The applicant claims that he has been serving in the Western Railway since the year 1964 and at present he is holding the post of Guard operating upon the Goods Train. Since the applicant did not receive any call for the duties, he went to the office of the Respondent No.4 on 15.9.92 and after querying from respondent No.4, he was informed that he has been put off from duty so no further calls for further duties were sent to him. Thereafter he made a representation to the concerned authority on 13.9.1993 which the applicant's counsel admits is still pending and no decision has been taken thereon.

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The learned counsel for the applicant wants that this representation should be disposed of by a detailed order on merits.

3. The O.A. is, therefore, disposed of with the following directions:

- i) The respondents No.2 & 3 are directed to dispose of the applicant's representation dated 13.9.93 through a detailed order on merits within a period of one month from the date of the receipt of a copy of this order.
- ii) The applicant shall however be at liberty to file a fresh O.A. after a decision is taken by the respondents No.2 & 3 on his representation, <sup>is</sup> if he/so advised.

(O.P.Sharma)  
Member(A).

GKrishna  
(Gopal Krishna)  
Member(J).