

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

OA 380/95

Date of order 31.8.95

Bhanwar Lal s/o Shri Prabhu Lal, Gangman under PWI, Bundi (Rajasthan), resident of Opp. Bundi Railway Station.

... Applicant.

VERSUS

1. Union of India through General Manager, Western Railway, Churchgate, Bombay.
2. Divisional Manager, Western Railway, Kota.
3. Divisional Engineer(Head Quarter), Western Railway, Kota Jn., Kota.

... Respondents.

CO RAM

Hon'ble Mr. O.P. Sharma, Member (Administrative).
Hon'ble Mr. Rattan Prakash, Member (Judicial).

For the Applicant ... Mr. Rajvir Sharma.
For the Respondents ... ---

O R D E R

(PER HON'BLE MR. O.P. SHARMA, MEMBER (ADMINISTRATIVE))

In this application u/s 19 of the Administrative Tribunals Act, 1985, Shri Bhanwar Lal has prayed that order dated 19.5.95 (Annexure A-1) by which he was put off duty may be quashed and the respondents may be directed to allow the applicant to join duty on his post and they may be further directed to treat the applicant as in continuous service since 1995 upto the date he is allowed to join duty. Still a further prayer is that the respondents may be directed to release the salary and dues of the applicant with immediate effect since 19.5.95 till the date of his joining the duty, and thereafter these may be paid to him as usual.

2. The applicant's case is that he was appointed on regular basis as a Group 'D' temporary Gangman/Khaliasi vide order dated 30.10.91 (Annexure A-3). The learned counsel for the applicant states that no reasons are given in the order (Annexure A-1) why he has been put off duty.

(5)

He has drawn our attention to the representation dated 25.5.95 (Annexure A-4) made by him with regard to his grievance, which according to him, has evoked ^{no} response from the respondents so far. The applicant has also sent a notice of demand of justice dated 29.7.95 (Annexure A-5) through his counsel to the Railway Authorities in regard to his grievance. There has ^{been} ~~no~~ response to this also. The learned counsel for the applicant further states that instead of pressing the application on merits, he would request the Tribunal to direct the respondents to dispose of the applicant's representation (Annexure A-4) and his notice of demand of justice (Annexure A-5) on merits.

3. In the circumstances, we direct respondent no. 3, Divisional Engineer (Head Quarter), Office of the Divisional Railway Manager, Western Railway Kota, to dispose of Annexure A-4 and Annexure A-5 on merits within a period of two months from the date of receipt of a copy of this order. Let a copy of the paper book be sent to respondent no. 3 alongwith a copy of this order.

4. The OA stands disposed of at the admission stage.


(RATTAN PRAKASH)
MEMBER(J)


(O.P. SHARMA)
MEMBER(A)

ZHQ.