

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

**ORIGINAL APPLICATION NO. 291/00686/2016
with
MISC. APPLICATION NO. 291/00383/2016**

DATE OF ORDER: 06.10.2016

CORAM

**HON'BLE MR. SANJEEV KUMAR KAUSHIK, JUDICIAL MEMBER
HON'BLE MS. MEENAKSHI HOOJA, ADMINISTRATIVE MEMBER**

Dhanraj Meena S/o Shri Raju Lal Meena, aged about 61 years, R/o Village and Post Binega, Tehsil Gangapur, District Sawai Madhopur (Raj.).

....Applicant
Mr. Anil K. Sharma, counsel for applicant.

VERSUS

1. Divisional Railway Manager, Central Western Railway, Kota (Raj.).
2. Senior Divisional Personnel Officer (Establishment), Office of Divisional Railway Manager, Central Western Railway, Kota (Raj.).
3. Senior Section Engineer, Carriage Wagon Depot, Gangapur City, District Sawai Madhopur.

....Respondents

ORDER

(Per MR. SANJEEV KUMAR KAUSHIK, JUDICIAL MEMBER)

Heard learned counsel for the applicant.

2. The present Original Application has been filed by the applicant seeking correct fixation of his pay in terms of report of Six Central Pay Commission Report as juniors are drawing more pay than him.

3. Along with this O.A., the applicant has also filed an MA under Section 5 of Limitation Act for condoning the delay, if any, in filing the O.A.

4. Learned counsel for the applicant submitted that before approaching this Tribunal, the applicant had filed a representation dated 01.09.2015 for claiming the relevant relief, which is pending with the respondents.

5. The learned counsel for the applicant made a statement at the bar that the applicant would be satisfied if a direction is issued to the respondents to decide his pending representation by passing a reasoned and speaking order in accordance with law. He also informed this Court that being a recurring cause of action, the delay in filing of O.A. will not come in way of the applicant as the matter relates to pay fixation which affords recurring cause of action.

6. Considering the above submissions made at the hands of the learned counsel for the applicant coupled with the fact that the learned counsel is making a prayer to decide pending representation of the applicant, therefore, without entering into the merits of the case, we dispose of this Original Application at this stage by directing the competent authority amongst the respondents to consider and decide the pending representation dated 01.09.2015 (Annexure A/1) of the applicant by passing a speaking and reasoned order.

7. Let the above exercise be carried out by the respondents within a period of two months from the date of receipt of a copy of this order. In view of this the Misc. Application is also disposed of at this stage as not pressed. No order as to costs.


(MS. MEENAKSHI HOOJA)
ADMINISTRATIVE MEMBER


(SANJEEV KUMAR KAUSHIK)
JUDICIAL MEMBER

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