

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 17.01.2001

OA No.176/1996

Ganga Sahai s/o Shri Bhodri Lal at present employed on the post of
Mason under IOW Bandikui, Western Railway, Jaipur Division, Jaipur

.. Applicant

Versus

1. Union of India through the General Manager, Western Railway,
Churchgate, Mumbai.
2. Divisional Railway Manager, Western Railway, Jaipur Division,
Jaipur
3. Sr. Divisional Engineer (E), Western Railway, Jaipur
Division, Jaipur
4. Shri Suraj Mal, SOM, in the office of Inspector of Works
(North) Jaipur Western Railway

.. Respondents

Mr. Shiv Kumar, counsel for the applicant

Mr. P.G.Gupta, Proxy counsel to Mr. S.S.Hasan, counsel for the
respondents

CORAM:

Hon'ble Mr. S.K.Agarwal, Judicial Member

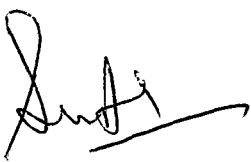
Hon'ble Mr. A.P.Nagrath, Administrative Member

Order

Per Hon'ble Mr. S.K.Agarwal, Judicial Member

In this Original Application the applicant makes following
prayers :-

- i) to direct the respondents to release Rs. 12,828/- withheld by
them alongwith interest.
- ii) to consider the promotion of the applicant on the post of
M.C.F. and S.O.M. in the pay scale Rs. 1400-2300 with all
consequential benefits.

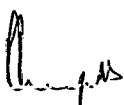


2. The learned counsel for the applicant has stated during the course of arguments that he wants to press only relief No.1) and not the relief of promotion being plural remedies. In view of the submissions made before us, we are only taking up the relief for payment of Rs. 12,828/- as claimed by the applicant. Regarding the claim of promotion, the applicant will be free to file a separate OA, if so advised.

3. It is stated by the learned counsel for the applicant that he has filed representations before the Department, copy of which is annexed as Ann.A4 and A5 with this OA, but these representations have not been decided/disposed of or, if decided, the same has not been communicated to the applicant. The learned counsel for the applicant also submits that applicant is ready to file a fresh representation for redressal of his grievance regarding release of amount of Rs. 12,828/-.

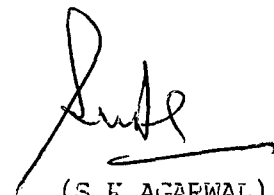
4. In view of the submissions made before us, we direct the respondent No.2 to decide the representation, if filed by the applicant within one month from the date of passing of this order, by a reasoned and speaking order within a period of two months from the date of receipt of the representation. The applicant shall be at liberty to approach the proper forum, if so advised, in case he feels aggrieved by the disposal of such representation.

5. With the above directions, this Original Application is disposed of with no order as to costs.



(A.P.NAGRATH)

Adm. Member



(S.K.AGARWAL)

Judl. Member