

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 12.8.1999

OA 80/98

Nathu Ram son of Shri Bholuram r/o village Bidodi Chhoti Bidosar Distt. Sikar, Rajasthan.

... Applicant

Versus

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway, Bikaner, Rajasthan.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.N.P.NAWANI, ADM.MEMBER

For the Applicant

... Mr.M.C.Sharma

For the Respondents

... —

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Nathu Ram, in this application under Section 19 of the Administratrative Tribunals Act, 1985 (for short, the Act), has sought a direction to the respondents to issue appointment order in his favour for the post of Apprentice Railway Mistry in the pay scale of Rs.1400-2300 (RPS).

2. We have heard the learned counsel for the applicant and have carefully perused the records.

3. The applicant having been selected for appointment to the post of Apprentice Railway Mistry Grade-III scale Rs.1400-2300 (RPS) was offered appointment but he was found medically unfit. The applicant, thereafter, was subjected to another medical examination so that he could be considered for appointment to an alternative post for which he is found medically fit. On being examined by the Railway Medical Examiner, the applicant was found fit for B-II category. However, no appointment letter was issued to him in regard to an alternative job. The applicant has already served upon the respondents a notice for demand of justice vide Annexure A-5 dated 22.10.97, which has evoked no response.

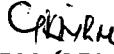
Chakravarthy

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4. In the circumstances, we dispose of the present application with a direction to respondent No.2 to take a decision on the notice for demand of justice dated 22.10.97 (Annexure A-5) treating it as a representation within the meaning of Section 20 of the Act through a detailed speaking order on merits within a period of two months from the date of its receipt. If the applicant is still aggrieved by the decision taken on the representation, he shall be at liberty to file a fresh OA. Let a copy of the OA and the annexures thereto be sent to respondent No.2 alongwith a copy of this order.


(N.P. NAWANI)

ADM. MEMBER


(GOPAL KRISHNA)
VICE CHAIRMAN

VK