

- CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH  
CIRCUIT COURT SITTING AT BILASPUR

Original Application No. 892 of 2003

Bilaspur, this the 16th day of March, 2005

Hon'ble Shri M.P. Singh, Vice Chairman  
Hon'ble Shri Madan Mohan, Judicial Member

Bhangi Ram, Son of Shri Dukhi Ram,  
aged about 53 years, Occupation -  
Service, R/o. Village - Girijapura,  
Tehsil - Bekunthpur, District -  
Koria (CG).

... Applicant

(By Advocate - None)

V e r s u s

1. Union of India, through  
the Gene. Manager, S.E. Rly.,  
New Delhi.
2. Assistant Divisional Engineer,  
S.E. Rly, Manendragarh,  
Koria (MP).
3. Section Engineer (Rail Path),  
S.E. Rly., Bekunthpur Road,  
Koria (MP).

... Respondents

(By Advocate - Shri M.N. Banerjee)

ORDER (Oral)

By Madan Mohan, Judicial Member -

By filing this Original Application the applicant has  
claimed the following main reliefs :

- "(i) to issue a writ in the nature of mandamus for  
applicant to work and mark his attendance as usual to  
the respondent authorities,
- (ii) to instruct the respondent authorities to  
release the salary of the applicant from the 21.7.03  
to 28.7.2003 with interest,
- (iii) to initiate the proper enquiry against the  
respondent No. 3 for his abusing and misconduct to the  
applicant."

2. The brief facts of the case are that the applicant is  
working on the post of Gangman and is serving under the  
respondents. He belongs to Scheduled Caste community. While  
he was working in night patrolling from Katora to Surajpur  
and ~~was~~ <sup>he had</sup> also ~~marking~~ <sup>remarked</sup> his attendance in the attendance

register, the respondents deducted his salary treating him absent for the period from 17.7.2003 to 25.7.2003 and 27.7.2003 to 8.8.2003. The applicant submitted several complaints against the said action but the respondents have not considered his case. Hence, this Original Application.


3. None for the applicant. Since it is an old case of 2003, we proceed to dispose of this Original Application by invoking the provisions of Rule 15 of CAT (Procedure) Rules, 1987. Heard the learned counsel for the respondents.

4. The respondents in their reply mentioned that the applicant was advised to submit his application for leave for the absence period but he has not submitted any application in this regard. Hence, at this stage no relief can be granted to the applicant and this OA is liable to be dismissed.

5. Thus, we feel that ends of justice would be met if we direct the applicant to make a representation regarding his claim to the respondents within a period of one month from the date of receipt of a copy of this order. We do so accordingly. If the applicant complies with this, the respondents are directed to consider and decide the said representation of the applicant within a period of two months by passing a speaking, detailed and reasoned order, from the date of receipt of the representation from the applicant.

6. The Original Application stands disposed of. No costs.

  
(Madan Mohan)  
Judicial Member

  
(M.P. Singh)  
Vice Chairman