

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 243 of 2001

Jabalpur, this the 27th day of April, 2004

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri A.S. Sanghvi, Judicial Member

Radhe Shyam Parasar, S/o. Shri Sitaram
Parasar, Aged about 23 years, Working as
Bangalow Peon, Rail Spring Factory,
Sithouli, Distt. Gwalior, R/o. Quarter
No. RB-II/C, Near Railway Station
Colony, Sithouli, P.O. Atri, Distt.
Gwalior (M.P.).

... Applicant

(By Advocate - Shri N.K. Tiwari)

V e r s u s

1. Union of India,
through Secretary,
Ministry of Railway,
New Delhi.
2. The General Manager,
Central Railway, Mumbai.
3. Chief Workshop Manager,
Railway Spring Factory,
Sithouli, Distt. Gwalior.
4. Deputy Chief Mechanical Engineer,
Railway Spring Factory, Sithouli,
Distt. Gwalior (M.P.).

... Respondents

(By Advocate - Shri M.N. Banerjee)

O R D E R (Oral)

By M.P. Singh, Vice Chairman -

Heard the learned counsel for the parties.

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

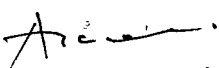
- "i. to direct the respondents to allow the appli-
cant to work as Bungalow Peon regularly on which post
he was appointed by the appointment order dated
15.6.2000.
- ii. to quash the termination order of the
applicant from the post of Bungalow Peon (substituted)
which has not been received by the applicant till
today, but orally informed to him by the respondent
No. 4 on 8.3.2001."

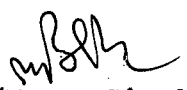
3. The brief facts of the case are that the applicant

was working as substitute Bungalow Peon to the Deputy Chief Mechanical Engineer, Railway Spring Factory, Sithouli. The services of the applicant were terminated vide order dated 8th March, 2001. The applicant has not made any representation against the said termination order and instead approached this Tribunal by filing the present Original Application. Thus the applicant has not exhausted the departmental remedies available to him which are mandatory requirements before approaching the Tribunal.

4. In the facts and circumstances of the case, we deem it appropriate to direct the applicant to make a fresh and detailed representation to the respondents within a period of four weeks from the date of receipt of ^a copy of this order. If the applicant complies with this, the respondents are directed to consider the representation of the applicant and take a decision by passing a speaking, detailed and reasoned order within a period of three months from the date of receipt of such representation. The applicant is also directed to submit a copy of this order alongwith the representation.

5. Accordingly, the Original Application is disposed of. No costs.


(A.S. Sanghvi)
Judicial Member

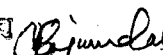

(M.P. Singh)
Vice Chairman

"SA" पृष्ठान्त सं ओ/व्या.....जबलपुर, दि.....

प्रतिनिधि आवेदित:-

- (1) सचिव, उच्च न्यायालय एवं एडमिनिस्ट्रेशन, जबलपुर
- (2) अध्यक्ष, पी.पी.सी.को वादिस
- (3) प्रत्यक्षी/श्रीमती/व्य.को वादिस
- (4) सचिव, कोर्ट, जबलपुर न्यायाधीश

सूचना एवं आवश्यक कार्यवाही हेतु


उप निदेशक 15/04

Mr Tiwari
Mr Banerjee

Final
12-5-04