

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
Bungalow 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 applicant 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 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
(M.P. Singh)
Vice Chairman

| | |
|------|---|
| "SA" | पृष्ठांकन सं ओ/ज्या....., जबलपुर, दि..... यक्षिणियि दाये छित:- |
| (1) | संक्षिप्त, उच्च त अवधारणा तर प्रसोरिण्याव, जबलपुर |
| (2) | आवेदन, / शीर्षी/द्यु....., तो वाहिनी |
| (3) | प्रति विधि/शीर्षी/द्यु....., पैर वाहिनी |
| (4) | विधि, केवल, दाये त वाहिनीति दूर्जा एवं आवश्यक कार्यवाही हेतु <i>Wunder</i> |

~~7/29/04~~