

CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH

OA No.75/2006.

Jaipur, this the 1st day of March, 2006.

CORAM : Hon'ble Mr. M. L. Chauhan, Judicial Member.

Yunus Khan
S/o Alladeen,
Aged about 20 years,
R/o Kosi Kala,
Meena Nagar Colony, Near Railway Station,
Bharatpur.

... Applicant.

By Advocate : Shri Shiv Kumar.

Vs.

1. Union of India
Through its General Manager,
Central Western Railway,
Jabalpur.
2. The Divisional Railway Manager,
Central Western Railway,
Kota Division,
Kota.
3. The Chief Permanent Way Inspector,
Bharatpur, Central Western Railway,
Kota Division,
Bharatpur.

... Respondents.

: O R D E R (ORAL) :

The applicant has filed this OA thereby praying for the following reliefs :

"(i) The respondents is directed to take the applicant on duty on the post of DC Gangman and the respondents may be further directed to pay the monthly salary to the applicant w.e.f. 10.11.2005 in the interest of justice.

(ii) Any other order/directions/reliefs may be passed in favour of applicant which may be deemed fit, just and proper under the facts and circumstances of this case.

(iii) That the cost of this application may be awarded."


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2. The facts of the case as stated by the applicant are that the applicant while working on the post of DC Gangman under CPWI, Bharatpur, the Train has hit the drill machine on 31.10.2005. In pursuant to the said incidence, the statement of the applicant was recorded. The grievance of the applicant is that after making of the statement by the applicant he is not being permitted to join duty w.e.f. 10.11.2005 as Respondent No.3 is pressurizing the applicant to change the statement. The applicant has further stated that he has made verbal representation to the authorities to allow him to join duties on the said post, but of no avail. Hence the applicant has filed this OA.

3. I have heard the Learned Counsel for the applicant at admission stage. I am of the view that the present OA can be disposed of at admission stage with a direction to the applicant to make representation to Respondent No.3 thereby highlighting his grievances along with the copy of this order. Accordingly the applicant is directed to make representation to Respondent No.3 within a period of 10 days. In the eventuality of making of the representation within the aforesaid period, Respondent No.3 is directed to dispose of the same by passing a reasoned and speaking order within a period of 15 days from the date of receipt of representation. Needless to add that in case the applicant is still aggrieved by the action of the respondents to be passed on the

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representation of the applicant, it will be open for him to agitate the matter in accordance with law.


(M. L. CHAUHAN)
JUDICIAL MEMBER

P.C./