

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDER SHEET

ORDERS OF THE TRIBUNAL

09.01.2009


OA No.466/2007

Mr. P.N.Jatti, counsel for applicant
Mr. R.G.Gupta, counsel for respondents

Heard the learned counsel for the parties.

For the reasons dictated separately, the OA
stands disposed of.


(B.L. KHATRI)
Admv. Member


(M.L. CHAUHAN)
Judl. Member

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH

JAIPUR, this the 9th day of January, 2009

ORIGINAL APPLICATION No.466/2007

CORAM:

HON'BLE MR.M.L.CHAUHAN, MEMBER (JUDICIAL)
HON'BLE MR. B.L.KHATRI, MEMBER (ADMINISTRATIVE)

Brijendra Singh Mahamana,
s/o late Shri Ram Singh,
r/o Daya Nagar Colony,
60 Feet Road,
Near Ranjeet Nagar 'A' Block,
Alwar, presently working as
S.S. at Govindgarh (Alwar) Rly. Station.

.. Applicant

(By Advocate: Shri P.N.Jatti)

Versus

1. Union of India
through the General Manager,
North West Railway,
Jaipur
2. Union of India
Through the General Manager,
North Central Railway, Allahabad.
3. Divisional Railway Manager,
North Central Railway,
Agra Cant. Agra
4. Divisional Railway Manager,
North Western Railway,
Jaipur.

.. Respondents

(By Advocate: Shri R.G.Gupta)

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ORDER (ORAL)

The case of the applicant is that despite the order dated 23.1.2004 (Annexure A/2, the applicant has not been relieved from the post of Station Superintendent, North Central Railway to enable him to join North Western Railway. It is further stated that a person, similarly situated, has been allowed to join at the North Western Railway, Jaipur even after the cut off date i.e. 28.2.2004. The applicant has further stated that he has also made repeated representations to the authorities but no favourable order has been passed. As such, the applicant has filed this OA before this Tribunal.

2. Notice of this application was given to the respondents, who have filed their reply thereby opposing the claim of the applicant.

3. We have heard the learned counsel for the parties and gone through the material placed on record. The learned counsel for the applicant submitted that at this stage he wants to withdraw this OA with a liberty reserved to him to file an appropriate representation before the competent authority thereby ventilating his grievance regarding discriminatory treatment being given to the applicant, inasmuch as, a person

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similarly situated has been allowed to join at Jaipur, whereas the applicant has not been relieved.


4. In view of what has been stated above, we are of the view that the present OA can be disposed of at this stage with a direction to the applicant to file appropriate representation before respondent No.3 and 4 i.e. Divisional Railway Manager, North Central Railway, Agra Cant. Agra and the Divisional Railway Manager, North Western Railway, Jaipur within a period of one month from today. In case such representation is filed by the applicant, the aforesaid authorities will decide the same by passing a reasoned and speaking order within a period of two months from the date of receipt thereof.

5. With these observations, the OA stands disposed of. No Costs.


(B.L. KHATRI)

Admv. Member

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(M.L. CHAUHAN)

Judl. Member