

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 13th day of July, 2011

ORIGINAL APPLICATION No.286/2011

CORAM :

HON'BLE MR.JUSTICE K.S.RATHORE, JUDICIAL MEMBER
HON'BLE MR.ANIL KUMAR, ADMINISITRATIVE MEMBER

Mukat Bihari,
Bungalow Peon to Shri S.K.Garg,
CFTM, North Western Railay,
GM's Office, Jagatpura,
Jaipur.

... Applicant

(By Advocate : Shri Nand Kishore)

Versus

1. Union of India through
General Manager,
North Western Railway,
Jagatpura,
Jaipur.
2. Chief Personnel Officer,
North Western Railway,
Jagatpura,
Jaipur.
3. Shri S.K.Garg,
Chief Freight Transportation Manager,
North Western Railway,
GM's Office, Jagatpura,
Jaipur.

... Respondents

(By Advocate : - - -)

ORDER (ORAL)

The short controversy involved in this OA is that the applicant was appointed in the Railway as a Substitute Bungalow Peon under respondent No.3 in the pay scale of Rs.5200-20200+1800 Grade Pay. The applicant was getting



regular salary in the pay scale with other allowances. The controversy arises when respondent No.3 neither issued any letter to the applicant nor he is taking the applicant on duty since May, 2011. Therefore, the applicant represented before the respondents vide Ann.A/7 dated 19.5.2011. Since the representation of the applicant has not been decided by the respondents, therefore, the present OA has been preferred by the applicant claiming the relief that the respondents may be directed to take the applicant on duty and the entire period involved from 1.5.2011 till the applicant is permitted to take on duty may be treated as duty and salary of the same may be paid to him.

2. Having considered the submission made on behalf of the applicant and upon careful perusal of the material available on record as well as the order-sheets of this Tribunal dated 20.8.2010 and 3.9.2010, passed in OA 390/2010, having similar controversy, we are of the view that the representation, which was submitted by the applicant on 19.5.2011 (Ann.A/7), is still pending consideration.

3. Looking to the hardship of the applicant, we deem it proper to direct the respondents to consider the representation of the applicant (Ann.A/7) and pass appropriate order in true and letter spirit and in accordance with the provisions of law within a period of one month the date of receipt of a copy of this order. The decision so taken on the representation be communicated to the applicant. The applicant will also be at liberty to file a substantive OA, if any adverse order is passed on his representation.

4. With these observations, the OA stands disposed of at admission stage.

Anil Kumar
(Anil Kumar)
Member (A)

K. S. Rathore
(Justice K.S.Rathore)
Member (J)