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CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 08.12.2011

OA No. 584/2011

Mr. Ramesh Chand, counsel for applicant.

Heard. O.A. is disposed of by a separate order on the separate sheets for the reasons recorded therein.

K.S. Rathore

(JUSTICE K.S. RATHORE)
MEMBER (J)

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CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 584/2011

DATE OF ORDER: 08.12.2011

CORAM

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

Mohar Singh S/o late Shri Nathilal, aged about 52 years, R/o House No. 772/36, Ram Chand Dhaudhari Ki Line, Veer Chock, Gurjar Dharti, Ajmer.

...Applicant

Mr. Ramesh Chand, counsel for applicant

VERSUS

1. Union of India through General Manager, North Western Railway, Jaipur.
2. Chief Works Manager, North Western Railway, Loco Workshop, Ajmer.
3. Dy. Chief Mechanical Engineer, North Western Railway, Carriage Workshop, Ajmer.
4. Production Engineer, North Western Railway, Carriage Workshop, Ajmer.

...Respondents

ORDER (ORAL)

The present Original Application has been preferred by the applicant praying that issue necessary order or direction to the respondents to make compliance of their order Annexure A/1 dated 02.07.2011 and pay the pension to the applicant.

2. It is submitted by the applicant that the present Original Application has not been made against any impugned order but made against in active action of respondents for non-compliance of their own order of Annexure A/1, as competent authority has



sanctioned 100% pension and gratuity but after lapse of four months, respondents are not paying pension to the applicant.

3. From bare perusal of the pleadings and records, it reveals that the applicant had represented before the respondents vide representation dated 22.01.2011 (Annex. A/9) and the respondents have decided the same by way of passing order dated 02.07.2011 (Annex. A/1) but the respondents are not complying the said order dated 02.07.2011.

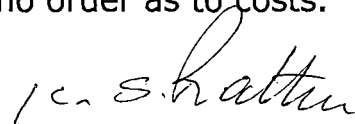
4. Having heard the submissions made on behalf of the applicant, it is clear that against non-compliance of the order dated 02.07.2011 (Annex. A/1), the applicant has not made any representation to the respondents, therefore, I deem it just and proper that the ends of justice would be met if the applicant is directed to represent before the respondents requesting for compliance of the order dated 02.07.2011 (Annex. A/1) and the respondents shall consider and decide the same by passing a reasoned and speaking order.

5. Consequently, the applicant is directed to submit immediately a representation before the respondents requesting for making compliance of the order dated 02.07.2011 (Annex. A/1) and the respondents are directed to consider and decide the same by passing a reasoned and speaking order and shall communicate the decisions so taken on the representation to the applicant expeditiously but in any case not later than a period of three months from the date of receipt of a copy of the representation along with this order.



6. In case, any prejudicial order against the interest of the applicant is passed by the respondents, the applicant will be at liberty to redress his grievance by way of filing the substantive Original Application.

7. With these observations and directions, the Original Application stands disposed of with no order as to costs.


(JUSTICE K.S. RATHORE)
MEMBER (J)

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