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**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORDERS OF THE BENCH

Date of Order: 15.03.2012

OA No. 154/2012

Mr. P.N. Jatti, 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)

Kumawat

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORIGINAL APPLICATION NO. 154/2012

DATE OF ORDER: 15.03.2012

CORAM

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

Dr. R.D. Shah S/o Durlabh Bhai Shah, aged about 62 years, R/o 1003 an Arcade Koper Khairne Navi Mumbai, retired from Divisional Medical Officer under General Manager, N.W. Railway, Jaipur.

...Applicant
Mr. P.N. Jatti, counsel for applicant.

VERSUS

Union of India through the General Manager, North Western Railway, Jaipur.

...Respondent

ORDER (ORAL)

The present Original Application has been preferred by the applicant praying therein that by an appropriate order or direction, the respondent(s) may kindly be directed to decide the representation dated 10.09.2011 (Annex. A/1) filed by the applicant before the respondent(s), and the respondent(s) be directed to release the amount of pay and allowances for the period from 28.04.2004 to 10.06.2005.

2. Brief facts of the case, as stated by the applicant, are that the applicant was working on the post of Senior Divisional Medical Officer under the General Manager, North Western Railway, Jaipur, and has been retired on 31.05.2009 on attaining the age of superannuation. At the time of superannuation, the amount of leave salary for the period from 28.04.2004 to 10.06.2005 has not been paid to the applicant. The applicant has submitted a representation dated 10.09.2011 (Annex. A/1) before the General



Manager, North Western Railway, Jaipur, but no action has been taken till date.

3. Upon careful perusal of the pleadings as well as documents, it is evident that the representation dated 10.09.2011 (Annex. A/1) is still pending consideration before the respondent(s).

4. Having considered the aspect that the representation dated 10.09.2011 (Annex. A/1) is still pending consideration before the respondent(s), I deem it just and proper that the ends of justice would be met if the respondent(s) are directed to consider and decide the same by passing a reasoned and speaking order.

5. Consequently, the respondent(s) are directed to consider and decide the representation dated 10.09.2011 (Annex. A/1) by passing a reasoned and speaking order and communicate the decision so taken to the applicant expeditiously but in any case not later than a period of two months from the date of receipt of a copy of this order.

6. If any prejudicial order against the interest of the applicant is passed by the respondent(s), the applicant will be at liberty to challenge the same 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.

K. S. Rathore

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