

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH


Date of Order: 22.03.2013

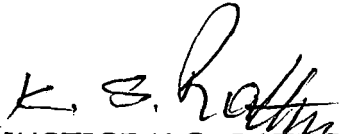
OA No. 254/2013

Mr. C.B. Sharma, counsel for applicant.

Heard learned counsel for the applicant.

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


(ANIL KUMAR)
MEMBER (A)


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

Kumawat

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 254/2013

DATE OF ORDER: 22.03.2013

CORAM

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

HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER

Doongar Singh Rawat S/o Shri Ladu Singh Rawat, aged about 52 years, R/o Village & Post Kanakhedi, Via Sri Nagar, Ajmer. Last employed as Khallasi under Assistant Mechanical Engineer (P) (Establishment), North Western Railway, Ajmer Division, Ajmer.

...Applicant

Mr. C.B. Sharma, counsel for applicant.

VERSUS

1. Union of India through General Manager, North Western Zone, North Western Railway, Near Jawahar Circle, Jagatpura, Jaipur-302006.
2. Chief Mechanical Engineer, North Western Zone, North Western Railway, Near Jawahar Circle, Jagatpura, Jaipur-302006.
3. Divisional Railway Manager, North Western Railway, Ajmer Division, Ajmer.
4. Divisional Assistant Mechanical Engineer (Establishment), North Western Railway, Ajmer Division, Ajmer.
5. Assistant Mechanical Engineer (P) (Establishment), North Western Railway, Ajmer Division, Ajmer.

...Respondents

ORDER (ORAL)

By way of filing the present Original Application, the applicant has prayed for the following reliefs:

- "(i). That the entire record relating to the case be called for and after perusing the same the respondents be directed to reinstate the applicant in service by quashing letter dated 05/09/2011 (Annexure A/1) after considering appeal dated 22/03/2012 (Annexure A/2) with all consequential benefits including pay and allowances.
- (ii). That the respondents be further directed to take note of correct position as subsequently made available by the local police vide Annexure A/7 and to reinstate the applicant in service with all consequential benefits.
- (iii). Any other order, direction or relief may be passed in favour of the applicant which may be deemed fit, just



and proper under the facts and circumstances of the case.

(iv). That the costs of this application may be awarded."

2. From bare perusal of the pleadings as well as documents available on record, it reveals that the applicant has submitted an appeal dated 22.03.2012 (Annexure A/2) before the respondent(s), which is still pending for consideration. In view of this fact, we deem it just and proper that the ends of justice would be met if the respondents are directed to consider and decide the appeal dated 22.03.2012 (Annexure A/2) by way of passing a reasoned and speaking order.

3. Consequently, the respondents are directed to consider and decide the appeal of the applicant dated 22.03.2012 (Annexure A/2) strictly in accordance with the provision of law and shall pass a reasoned and speaking order expeditiously but in any case not later than a period of two months from the date of receipt of a copy of this order.

4. If any prejudicial order against the interest of the applicant is passed by the respondents, the applicant will be at liberty to challenge the same by way of filing the substantive Original Application in accordance with the provision of law.

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

Anil Kumar
(ANIL KUMAR)
MEMBER (A)

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