

ORAL

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH, ALLAHABAD

(This the 24th Day of April, 2018)

Hon'ble Dr. Murtaza Ali, Member (Judicial)
Hon'ble Mr. Gokul Chandra Pati, Member (Administrative)

Original Application No.330/119/2018
(U/S 19, Administrative Tribunal Act, 1985)

Jagdish Singh Yadav aged about 59 years son of Sri Munshi Lal Yadav Resident of Yadav Nagar, House No.17, Post Bahrthana, District - Etawa.

..... **Applicant**

By Advocate: Shri A.K. Srivastava

Versus

1. Union of India through General Manager, North Central Railway, Subedarganj, Allahabad.
2. Divisional Railway Manager, North Central Railway Allahabad Division Allahabad.
3. Senior Divisional Personnel Officer, North Central Railway Allahabad Division Allahabad.
4. Senior Divisional Commercial Manager, North Central Railway, Allahabad Division Allahabad.

..... **Respondents**

By Advocate: Shri Om Prakash

ORDER

Delivered by Hon'ble Dr. Murtaza Ali, Member (J)

Heard Shri A.K. Srivastava, learned counsel for the applicant and
Shri Pramod Kumar Pandey, learned counsel for the respondents.

2. At the very outset, counsel for the applicant stated that similar and identical issue has already been decided by this Tribunal on 25.11.2016 in O.A. No.1595 of 2011 (Alok Kumar Srivastava vs. UOI & Ors) with the following observation:-

"In view of the above facts and legal position, the O.A. is disposed of with direction to the respondents to decide the pending representation dated 22.12.2010 (Annexure A-10) of the applicants in terms of order dated 30.04.2004 passed by C.A.T. Principal Bench in O.A. No.558 of 2002 and the observations made herein above within a period of two months from the date when the certified copy of the order is produced before them. If the applicants are found similarly situated, the same benefit may be extended to them. There is no order as to costs. "

3. Learned counsel for the applicant further submitted that grievance of the applicant may be redressed in case the similar direction is also given to the respondent No.2/competent authority to decide the representation of the applicant dated 10.08.2016 (Annexure A-8 of the O.A.) by reasoned and speaking order within a specified period of time.

4. Learned counsel for the respondents stated he has no objection if a direction is given to the respondents to decide the representation of the applicants.

5. In view of the submissions made by the counsel for the parties no useful purpose will be served to keep this O.A. pending and matter can be resolved by giving direction to the respondent No.2/competent authority to decide the pending representation of the applicant. Hence, without commenting anything on the merits of the case as well as on the point of limitation, we disposed of the present O.A. with direction to respondent No.2/Competent Authority to decide the representation dated 10.08.2016 (Annexure A-8) of the applicant considering the observations made in the order dated 25.11.2016 passed in O.A. No.1595 of 2011 (Alok Kumar Srivastava vs. UOI & Ors) by passing a reasoned

and speaking order within a period of two months from the date of receipt of a certified copy of this order and communicate the decision to the applicants in writing.

6. The applicant is also directed to send a copy of this order along with a copy of the representation dated 10.08.2016 (Annexure A-8) to the said authority within a period of two weeks. No order as to costs.

(Gokul Chandra Pati)
Member (A)

(Dr. Murtaza Ali)
Member (J)

Sushil