

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the **13th** day of **February**, 2018

Present :

Hon'ble Dr. Murtaza Ali, Member-J
Hon'ble Mr. Gokul Chandra Pati, Member-A

Original Application No.330/00147/2018

Nishant Mani Son of Nirbhay Kant Tripathi, Presently posted as Assistant Loco Pilot Diesel Lobby, Gorakhpur.

.....Applicant.

By Advocate -Shri Ashish Srivastava

V E R S U S

1. Union of India through Secretary, Railway Department, New Delhi.
2. General Manager, NER Railway, Gorakhpur.
3. Divisional Railway Manager, (Karmik) NER Railway, Lucknow.

..... Respondents

By Advocate : Shri Santosh Kumar Rai

O R D E R

By Hon'ble Dr. Murtaza Ali, Member-J :

The applicant has filed this OA under Section 19 of the Administrative Tribunal Act, 1985 seeking following relief(s) :

(i) *Kindly may pleased to direct the respondent No.2 & 3 to grant the petitioner increment subsequent to year 2013 and also take action for promoting the*

petitioner on the post of Senior Assistant Loco Pilot which due since July 2013.

- (ii) *Kindly may pleased to direct the Respondents to decide the representation of the petitioner by passing a speaking and reasoned order which is pending before them since 22.07.2017.*
- (iii) *Issue any other suitable order or direction which this Hon'ble Tribunal may deem fit and proper under the facts and circumstances of the case.*
- (iv) *Award the costs of the application in favour of applicant."*

2. Learned counsel for the applicant submitted that the applicant was awarded punishment for withholding one increment without cumulative effect in the year 2013 but he has not been paid subsequent increment. He has preferred the representations dated 16.12.2016 and 22.07.2017, which have not yet been disposed of by the respondents.

3. Learned counsel for the applicant further submitted that his grievance may be redressed if a direction is given to the respondents to consider and decide the representation dated 22.07.2017 (Annexure-A-3) of the applicant within a specified period of time. Learned counsel for the respondents has no objection if such direction is given.

4. In view of the limited prayer made by the counsel for the applicant but without commenting anything on the merits of the case, the OA is disposed of with direction to respondent No.3/Competent Authority to decide the representation dated 22.07.2017 (Annexure-A-3) by passing a reasoned and speaking

order within two months from the date of receipt of a certified copy of this order. The applicant is also directed to send a copy of this order along with a copy of the representation dated 22.07.2017 (Annexure-A-3) to the said authority within a period of two weeks. No order as to costs.

Member-A

Member-J

RKM/