

**Central Administrative Tribunal
Principal Bench**

OA No.350/2018

New Delhi, this the 25th day of January, 2018

**Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Ms. Nita Chowdhury, Member (A)**

Durga Dass, Group 'C', Aged 54 years,
S/o Late Sh. Sain Dass,
R/o WZ-95,
Gali No.13, Krishna Park,
Tilak Nagar, New Delhi-18.

...Applicant

(By Advocate : Shri U. Srivastava)

Versus

1. Union of India through the Chairman Railway Board, Rail Bhawan, New Delhi.
2. The President/Indian Railway Conference Association General Manager, Northern Railway, Baroda House, New Delhi.
3. The General Secretary IRCA Office, DRM Complex Estate Entry Road, New Delhi.
4. Smt. Veena Sharma, Office Supdt.
5. Sh. Akash Deep Sinha, Office Supdt.
6. Sh. Siwan Ramanand Nanheram, Office Supdt.
7. Sh. Rajesh Kumar Tiwari, Office Supdt.
8. Sh. Pradeep Kumar, Office Supdt.

(Respondent No.4 to 8 are presently working in the O/o the respondent No.2 further the notice may be served on them through the respondent No.2).

...Respondents

ORDER (ORAL)**Mr. V. Ajay Kumar, Member (J) :-**

Heard the learned counsel for applicant.

2. The applicant has filed the instant OA seeking the following reliefs :-

“(a) Directing the respondents to place the relevant records pertaining to the present OA before their Lordships for the proper adjudication in the matter, in the interest of justice.

(b) Declaring the actions of the respondents compelling the applicant to submit option for absorption in matching cadre being declared surplus even without effecting the condition of computerization/ complete computerization further the respondents have been retaining the juniors and outsider candidates i.e. the respondent Nos.4to8 who are the Neutral Control Ministerial Staff and have been continuing since last so many years in the IRCA Head Office is as biased, perverse, illegal, unjust, arbitrary, malafide unconstitutional, against the principles of natural justice, violative of articles 14, 16 & 21 of the constitution of India, against the mandatory provisions of law and not sustainable in the eyes of law further;

Directing the respondents to firstly effect the computerization/ complete computerization, i.e. the pre-condition and thereafter only effect the revised sanction strength of IRCA headquarters, reduce the strength by offering for absorption in matching cadre in railways from the surplus staff and till then the applicant may be allowed to continue.

(c) Allowing the OA of the applicant with all other consequential benefits and cost.

(d) Any other fit and proper relief may also be granted to the applicant.”

3. It is submitted that the applicant has made number of representations including Annexure-A/13 dated 19.01.2018 ventilating his grievances to the respondents, but no order have been passed thereon till date.

4. In the circumstances, the OA is disposed of without going into the merits of the case, with a direction to the respondents to decide the Annexure-A/13 representation dated 19.01.2018 of the applicant, by passing a reasoned and speaking order within a period of 60 days from the date of receipt of a certified copy of this order, in accordance with law. No costs.

5. Let a copy of the OA be enclosed to this order.

6. Order **DASTI**

(NITA CHOWDHURY)
MEMBER (A)

(V. AJAY KUMAR)
MEMBER (J)

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