

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

**O.A No. 3717/2016
M.A No. 411/2017**

New Delhi, this the 11th day of December, 2017

Hon'ble Mrs. Jasmine Ahmed, Member (J)
Hon'ble Mr. Uday Kumar Varma, Member (A)

Mr. Yogendra Kumar,
Aged about 28 years,
TADK,
S/o. Sh. Awadhesh Singh,
School Block – S/521, TVS Show Room,
Shakarpur, Delhi 110 092.

Permanent Address :
Village –Kathar
Post – Sherghati
District – Gaya,
Bihar – 824 211.

...Applicant

(By Advocate : Mr. R. K. Shukla)

Versus

1. Union of India,
Through the General Manager,
Northern Railways Head Quarter,
Baroda House, New Delhi.
2. The Principal Secretary,
IRCA, State Entry Road,
Connaught Place, New Delhi – 110 055.
3. The Assistant Director (WI),
IRCA, State Entry Road, New Delhi.
4. The Inquiry Officer,
IRCA, State Entry Road,
New Delhi.

...Respondents

(By Advocate : Mr. Shailendra Tiwari and Mr. V. S. R. Krishna)

ORDER (ORAL)

Mrs. Jasmine Ahmed, Member (J) :

M.A 411/2017 :

Learned counsel for the applicant wants to withdraw the M.A to make a representation to the respondents. Accordingly, the M.A is dismissed as withdrawn. However, the applicant is at liberty to make representation to the respondents.

O.A 3717/2016 :

2. The very limited prayer of the applicant is that he should be allowed to engage defence assistant instead of IRCA from Northern Railway, Baroda House. In this regard, learned counsel for the respondents has handed over a letter No. RBE No. 109/1997 dated 13.08.1997 wherein in para 2, clause-I, we find that "Railway servant may present his case with the assistance of any other Railway servant (including a Railway servant on leave preparatory to retirement) working under the same Railway administration, subject to whose jurisdiction and control he is working.....".

3. We feel that the applicant should prefer a detailed representation to the respondents and leave it to them for consideration. Accordingly, we direct the applicant to make a detailed fresh representation to the respondents within seven days from today and the respondents are directed to take a decision thereon within 15 days from the date of receipt of such representation, under intimation to the applicant.

4. The O.A is disposed of accordingly. It is made clear that nothing has been commented on other prayers except the prayer for engagement of defence assistant.

(Uday Kumar Varma)
Member (A)

(Jasmine Ahmed)
Member (J)

/Mbt/