

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00627/2018

Jabalpur, this Friday, the 06th day of July, 2018

HON'BLE SHRI NAVIN TANDON, ADMINISTRATIVE MEMBER
HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER

1. Birendra Nath Mishra son of late Shri Janardan Mishra, aged about 47 years, occupation – Assistant Audit Officer in the Office of the Director General of Audit, West Central Railway, Jabalpur (M.P.), resident of M.I.G. – 81, Awadhpu Colony, Gwarighat, Jabalpur (M.P.) Pin Code No. 482008, Mob.9479755390.
2. Bishnu Prabhakar son of Shri Nageshwar Prasad, aged about 47 years, occupation – Assistant Audit Officer in the office of the Director General of Audit, West Central Railway, Jabalpur, (M.P.), resident of Flat No.403, Marble Height Apartment, Delight Compound, Civil Line, Jabalpur, M.P. Pin Code – 482001.

-Applicants

(By Advocate – Shri Dhirendra Singh)

V e r s u s

1. The Comptroller & Auditor General of India, Pocket – 9, Deen Dayal Upadhyay Marg, New Delhi – 110124.
2. The Director General of Audit, West Central Railway, 3rd Floor, Annexee-II Building, P.F. No.6, Railway Station Jabalpur, M.P. Pin – 482001

- Respondents

(By Advocate – Shri P. Shankaran)

O R D E R (ORAL)

By Navin Tandon, AM

The applicants are working as Assistant Audit Officers with the respondent department and posted in Jabalpur.

2. They have filed MA No.200/728/2018 for jointly prosecution the case, as the cause is common and the relief claimed by the applicants is also common. Accordingly, the MA is allowed.

3. Accordingly, the O.A is being considered.

4. The brief case of the applicants is that they have been representing about correct fixation of their seniority. Though the exact date of the old representation has not been filed in the O.A, perusal of letter written by respondent No.1 to respondent No.2 on 29.01.2018 (Annexure A-5), indicates that the representation is pending with the respondent department for more than six months.

5. The applicants have sought for the following relief:

“8(i) Direct respondents to decide and allow applicants pending representations dated 13.04.2018 Annexure A/6 and dated 02.05.2018 Annexure A/7 by reasoned and speaking order within a week and consequently accordingly correct seniority list Annexure A/4.

(ii) Any other relief which this Hon’ble Court deems fit and proper under the present facts and circumstances of this case be granted in favour of the applicant and this application be allowed with costs.”

6. Learned counsel for the respondents has no objection if the Original Application is disposed of in terms of relief sought for in Para 8.1 of the Original Application. However, a period of three months should be granted for the purpose.

7. Accordingly, without going into the merits of the case, we dispose of this Original Application at the admission stage itself with a direction to the competent authority of the respondent department to decide the representation regarding the applicants' seniority, within a period of 90 days from the date of receipt of certified copy of this order. The decision should be communicated to the applicants. No costs.

(Ramesh Singh Thakur)
Judicial Member

(Navin Tandon)
Administrative Member

am/-