

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/977/2018

Jabalpur, this Monday, the 26th day of November, 2018

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

Rukhsana Sheikh
W/o Late Hamid Sheikh
Age 61 Chief Superintendent Officer
DRM (Estb.) Ratlam
Western Railways
F-19, Anand Colony
Ratlam 457001

-Applicant

**(By Advocate –Shri Ankit Agrawal proxy counsel
for Shri Shoeb H. Khan)**

V e r s u s

1. Union of India Through the
2. General Manager, Western Railway
Churchgate Mumbai
Maharashtra India PIN 400020
3. The Divisional Railway Manager
Sindhi Building New Road
Shastri Nagar, Western Railways
Ratlam Madhya Pradesh India PIN 457001
4. The Senior Divisional Personnel Officer
Western Railways
Ratlam MP India PIN 400020

- Respondents

(By Advocate –Shri A.S. Raizada)

O R D E R (ORAL)
By Navin Tandon, AM:-

The applicant is working on the post of Chief Superintendent Incharge, DRM (Estb.) Western Railways, Ratlam. She is due for superannuation on 30.11.2018.

2. The grievance of the applicant is that the respondent No.3 Senior Divisional Personnel Officer, vide order dated 21.06.2018 (Annexure A/1) has not considered the period of suspension from 22.10.2009 to 05.02.2011 as spent on duty even though there is a specific circular of the Railways in this regard.

3. Learned counsel for the applicant submits that the respondents have not appreciated the true spirit of Circular dated 29.04.1985 (Annexure A/8) while considering the representation of the applicant at Annexure A/1. Therefore, the learned counsel for the applicant prays that he may be allowed an opportunity of filing a fresh representation along with all relevant documents including the order of Principal Bench of this Tribunal in the case of Smt. Savita Sharma vs. Delhi Development Authority, which respondents may decide keeping in view the Circular of Annexure A/8 as well as in the light of the judgment.

4. Shri A.S. Raizada, learned Standing counsel appears on behalf of the respondents on receipt of advance copy of O.A. and

submits that he has no objection if this Original Application is decided in above terms.

5. Accordingly, this Original Application is disposed of at admission stage itself, without going into the merits of the case, by permitting the applicant to file a fresh representation along with all the relevant documents to the competent authority of the respondents within a period of 10 days from today. On such representation being filed, the said competent authority of the respondents shall consider and decide the same with a reasoned and speaking order, within a period of 45 days thereafter, as per law. The decision so taken shall be communicated to the applicant.

(Ramesh Singh Thakur)
Judicial Member

(Navin Tandon)
Administrative Member

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