

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00270/2018

Jabalpur, this Friday, the 23rd day of March, 2018

HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER

1. Anil Kumar Patel, S/o Shri Ram Krishan Patel, Date of Birth – 02/07/1983, Unemployed, R/o Village & Post Amilki, Tehsil – Huzur, Police Station – Govindgarh, District – Rewa (M.P.) 486550.
2. Shri Ram Krishan Patel, S/o Shri Sudarshan Patel, aged about 56 years, Agriculturist, R/o Village & Post Amilki, Tehsil – Huzur, Police Station – Govindgarh, District – Rewa (M.P.) 486550.

-Applicants

(By Advocate – Shri Rakesh Singh)

V e r s u s

1. Union of India through its General Manager, West Central Railway, Indira Market, Jabalpur – 482001, M.P.
2. Divisional Railway Manager, West Central Railway, Jabalpur Division, Jabalpur M.P. 482001.
3. Divisional Railway Manager (P), West Central Railway, Jabalpur Division, Jabalpur, M.P. 482001.
4. Assistant Personal Officer (Recruitment), West Central Railway, Jabalpur Division, Jabalpur, M.P 482001.
5. Land Acquisition Officer/Sub Divisional Officer, Tehsil Huzur, District – Rewa (M.P.) 486550

-Respondents

(By Advocate – Shri A.S. Raizada)

ORDER (ORAL)

This Original Application has been filed by the applicants for providing employment to applicant No.1 in lieu of the land of applicant No.2 acquired by the respondents.

2. It has been submitted by learned counsel for the applicants that the respondent department have acquired the land of applicant No.2 bearing Khasra Number 69/2, situated at Village Amilki, for the project of Rewa – Sidhi Broad Gage Line. As per the notification dated 17.12.2013, the applicant No.2 submitted application for providing appointment to applicant No.1 in the year 2014-15. Thereafter, an offer of appointment was issued in the name of applicant No.1 vide Annexure A-4 dated 09.11.2015. Subsequently, vide Annexure A-8 dated 19.07.2016, addressed to applicant No.2, the respondents have called for certain documents.

3. Learned counsel for the applicants submits that in compliance of the letter dated 19.07.2016, applicant No.2 submitted an affidavit dated 27.07.2016 (Annexure A-9). The same affidavit has also been furnished by sister of the applicant. Since, no decision was taken by the respondents, the applicant No.1 made a representation dated 12.04.2017 to the respondent

No.3. But, till date no response has been given by the respondents. Learned counsel further submits that the applicant will be satisfied if the competent authority of the respondent is directed to decide the pending representation of the applicant dated 12.04.2017, in a time-bound manner.

4. Learned Standing counsel for the Railways, appearing on advance copy of the O.A for the respondents, has no objection if this O.A is disposed of in above terms.

5. Accordingly, I am of the view that the prayer made by the applicant is quite reasonable. Therefore, without going into the merits of the case, this Original Application is disposed of at the admission stage itself, with a direction to the competent authority of the respondents to consider and decide the representation dated 12.04.2017 for appointment in lieu of land of the applicant No.2, bearing Khasra No.69/2, acquired for Railway project, within a period of 60 days from the date of receipt of a certified copy of this order, as per law.

**(Ramesh Singh Thakur)
Judicial Member**

am/-