

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD  
BENCH ALLAHABAD**

(ALLAHABAD THIS THE 12<sup>th</sup> DAY OF DECEMBER, 2018)

**Present**

**HON'BLE MR. MOHD. JAMSHED, MEMBER (A)**

**Original Application No.330/01343 OF 2018**

(U/S 19, Administrative Tribunal Act, 1985)

Ajay Kumar, S/O Late Shiv Dayal, R/O 178, Prateek Vihar, Mohalla: Harthala (Sonakpur), Moradabad.

.....Applicant

**V E R S U S**

1. Divisional Railway Manager, Northern Railway, Moradabad.
2. Station Superintendent, Northern Railway, Moradabad.

.....Respondents

Advocates for the Applicant:- Shri Ashok Kumar Singh

Advocate for the Respondents:- Shri G.K. Tripathi

**OR D E R**

**(DELIVERED BY HON'BLE MOHD. JAMSHED, MEMBER (A))**

Heard Shri Ashok Kumar Singh, Advocate for applicant and Shri G.K. Tripathi, Advocate for the respondents.

2. By way of the present original application filed under section 19 of Administrative Tribunals Act, 1985 the applicant has prayed for the following reliefs:-

- "i) To issue an order, direction commanding the Respondents to release Rs.1,34,947.00 (One lac, thirty four thousand Nine hundred forty seven rupees) in favour of applicant.*
- ii) To issue an order, direction or further orders which this Court may deem it and proper in the present facts and circumstances of this case.*
- iii) Award the cost of the Original Application."*

3. At the outset, learned counsel for the applicant submitted that the applicant has filed a representation dated 30.11.2018 (Annexure No. A-3 to the OA), before the respondent no. 2, with the request to grant retiral dues of the deceased employee on the ground of Succession Order issued by the competent court. This representation is still pending before the respondents.

4. Learned counsel for the applicant submitted that the applicant would be satisfied and his grievance would be redressed, if a direction is issued by this court to the respondents to decide the pending representation by a reasoned and speaking order within a time bound manner.

5. Learned counsel for the respondents submitted that he has no objection, if such a direction is issued by this Tribunal.

6. Heard the counsels for the both the parties.

7. Considering the facts of the case, it would not be proper to keep this OA Pending. Accordingly, the respondent no. 2/competent

authority is directed to decide the representation dated 30.11.2018 preferred by the applicant within a period of two months from the date of receipt of certified copy of this order.

8. With the above direction, original application stands disposed of at the admission stage itself without going into the merits of the case. No Costs.

**(MOHD. JAMSHED)**  
**Member-A**

/neelam/