

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**  
**JABALPUR**

**Original Application No.200/00047/2019**

Jabalpur, this Friday, the 18<sup>th</sup> day of January, 2019

**HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER**

Swatantra Kumar Pathak  
S/o Shri Devilalji Pathak  
Aged about 57 years  
Presently Working as  
Senior Section Engineer  
(P.Way) Ujjain (M.P.)

**-Applicant**

(By Advocate –**Shri Amardeep Gupta**)

**V e r s u s**

1. Union of India,  
Through its General Manager  
Western Railway  
Churchgate Mumbai 400020

2. Pr. Chief Personnel officer  
Western Railway  
Churchgate  
Mumbai 400020

3. Divisional Railway Manager  
Ratlam Division  
West Central Railway  
Ratlam (M.P.) 457001

4. Sr. Divisional Personnel Officer  
Ratlam Division  
West Central Railway  
Ratlam (M.P.) 457001

**- Respondents**

(By Advocate –**Shri A.S. Raizada**)

## **O R D E R (Oral)**

In the present Original Application the applicant is challenging the action of the respondents regarding non-marking of the answer sheet specifically the question No.5.

2. The case of the applicant is that he has applied for the post of Assistant Engineer in the year 2014 and also appeared in the written examination. The applicant has sought information regarding marking of his answer sheet. The information regarding marking of the answer sheet has been received by applicant in the month of July 2014. As per Annexure A/7 the information regarding the non-awarding of marks for question No.5 has also been indicated by the inter-departmental correspondence dated 18.06.2018. Thereafter the applicant has made the detailed representation dated 29.12.2018 (Annexure A/8).

3. At this stage the learned counsel for the applicant submits that the applicant will be satisfied if the respondent-department is directed to decide the representation and to meet with the issue of the applicant.

4. This Tribunal is of the view that the submission made by the applicant is genuine particularly when the representation Annexure A/8 coupled with Annexure A/7 is pending before the respondents.

**5.** Accordingly, this Original Application is disposed of, without commenting on the merits, and the respondents are directed to decide the representation Annexure A/8 coupled with Annexure A/7 within a period of 90 days after receiving the order of this Tribunal.

**6.** Needless to say that the grievance of the applicant may be dealt with and the reasoned and speaking order shall be passed as per rules.

**(Ramesh Singh Thakur)**  
**Judicial Member**

kc