

Open Court
**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.**

Dated: This the 24th day of September 2019

Original Application No. 330/00948 of 2019

Hon'ble Mr. Justice Bharat Bhushan, Member – J
Hon'ble Ms. Ajanta Dayalan, Member – A

Anoop Kumar, S/o Shri Rambabu, R/o 285, Krishna Nagar Colony, District Jhansi.

.....Applicant

By Adv: Shri S.M. Ali and Shri Jitenera Nayak

V E R S U S

1. Union of India through General Manager, Southern Railway, George Town, Chennai (Tamil Nadu)
2. The General Manager (P), Southern Railway, Chennai.
3. Principal Railway Signal Training Institute, Southern Railway, Tiruchchirapalli.
4. Divisional Railway Manager, Southern Railway, Palghat.

.....Respondents

By Adv : Shri G.K. Tripathi

O R D E R

By Hon'ble Mr. Justice Bharat Bhushan, Member- J

Heard Shri S.M. Ali, learned counsel for the applicant and Shri G.K. Tripathi, learned counsel for the respondents.

2. Shri S.M. Ali, advocate for the applicant has pointed out that the applicant lives in District Jhansi and under Rule 6 (2) of CAT (Procedure) Rule, 1987 is entitled to institute this OA at Allahabad.

3. It appears that Railway Recruitment Board published employment notice No. 01/2014 for filing up the post of Assistant Loco Pilot. The applicant also submitted his application for recruitment of the aforesaid post. The applicant passed the written examination and according to him, he was also found fit in aptitude test and his document verification was also cleared on

09.03.2015. Subsequently, the applicant was posted in Palghat division for training on 14.07.2013.

4. The applicant could not qualify the training course in the first instance. Thereafter, he was asked to qualify the training course in second time, which he was again not qualified. Thereafter, he was directed for training in third chance vide order dated 27.07.2017 issued by Senior DPO, Palghat. The applicant was relieved for DRM Office Palghat vide letter dated 12.09.2017.

5. Applicant's counsel submitted that the applicant secured 49 marks in the first paper, and he appeared in the second paper, he answered in Hindi, but the examiner has awarded zero marks to the applicant because the examiner was not aware of Hindi language. The claim of the applicant is that because of this fault he was relieved from the department.

6. The applicant claims that he filed a representation dated 28.09.2017 (Annexure A-7) before DRM (P), Palghat, but no action has been taken in his representation till today. He submitted that he made another representation dated 22.12.2018 (Annexure A-8), which is still pending.

7. Applicant's counsel submitted that the applicant will satisfy if a direction be given to the competent authority amongst the respondents to consider and dispose of the pending representation of the applicant dated 22.12.2018 (Annexure A-8) within a stipulated period of time.

8. Learned counsel for the respondents has not raised any objection for the same.

9. In view of the above submission made by the applicant's counsel, we direct the competent authority amongst the respondents to consider and decide the representation of the applicant dated 22.12.2018 (Annexure

A-8) by passing reasoned and speaking order within a period of 06 months from the date of receipt of a certified copy of this order and communicate the outcome of the same to the applicant. It is made clear that we have not gone into the merit of the case.

10. In view of the above direction the OA is disposed of. No costs.

(Ajanta Dayalan)
Member – A

(Justice Bharat Bhushan)
Member – J

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