

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Dated: This the 11th day of October 2019

Original Application No. 330/01041 of 2019

Hon'ble Ms. Ajanta Dayalan, Member – A

Ajay Kumar Mishra, S/o Sita Ram Mishra, R/o 101, H/O Vinay Kumar Nag
Kumhrar Gumti Ashok Vihar, Vachaswapati Nagar, Sampatchak, Patna.

.....Applicant
By Adv: Shri Syed Fahim Ahmed

V E R S U S

1. Union of India through, General Manager, North Central Railway (NCR), Allahabad.
2. Mandal Rail Prabandhak, North Central Railway, Jhansi.
3. D.R.M. (P), North Central Railway, Jhansi.
4. Rail Prabandhak Karmik Uttar Madhya Railway, Jhansi.

.....Respondents
By Adv : Shri S.M. Mishra

O R D E R

Heard Shri Syed Fahim Ahmed, learned counsel for the applicant and
Shri S.M. Mishra, learned counsel for the respondents.

2. Learned counsel for the applicant states that the applicant was initially appointed as Casual Flagman in 1982. He was, thereafter transferred to Nagpur in 1987 and later to other regions. He has now been posted to Jhansi vide order dated 30.10.2017. He is seeking fixation of his pay taking into consideration the date of appointment as 19.08.1982. Learned counsel for the applicants pleads that the applicant has made a representation dated 19.05.2018 (Annexure A-24) to the respondent department in this connection, but he has not received any decision thereon. Learned counsel for the applicant states that he has also sought some other reliefs in the OA including the request to the respondent department to pay the Provident Fund deduced from this salary from 1983 to 1997.

3. Learned counsel for the applicant states that he will be satisfied in case a direction is given to the respondents to consider and decide his representation dated 19.05.2018 (Annexure A-24).
4. Learned counsel for the respondents has no objection to this limited prayer of the applicant.
5. In view of limited prayer of the applicant and no objection from the opposing counsel, we direct the competent authority amongst the respondents to decide the pending representation of the applicant dated 19.05.2018 (Annexure A-24) by passing reasoned and speaking order, within a period of 3 months from the date of receipt of a certified copy of this order. The order so passed shall be communicated to the applicant.
6. Needless to mention that this order shall, in no manner, be construed as any opinion or expression on the merits of the case or regarding limitation or delay and latches..
7. OA is disposed of accordingly. There is no order as to costs.

(Ajanta Dayalan)
Member – A

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