

(2022) 01 CAT CK 0030

In the Central Administrative Tribunal

Case No : Original Application No. 060, 1432 Of 2021

Kalyan Singh

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 03-01-2022

Acts Referred:

Administrative Tribunals Act, 1985 — Section 19

Citation : (2022) 01 CAT CK 0030

Hon'ble Judges : Suresh Kumar Monga, Member (J); Rakesh Kumar Gupta, Member (A)

Bench : Division Bench

Advocate : R.K. Sharma

Final Decision : Disposed Of

Judgement

Suresh Kumar Monga, Member (J)

Hearing by Video Conferencing

1. The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 making therein a prayer

for issuance of a direction to respondents to decide his claim for refixation of his pay at Rs. 11,360/- w.e.f. August, 2007, the date when he was

promoted as Assistant Station Master at par with the Direct Recruit Assistant Station Master in PB-1 with Grade Pay of Rs. 2800 and further to

consider his case for grant of 3rd MACP w.e.f. 16.02.2018 by fixing his pay with reference to Grade Pay of Rs. 4600/- in PB-2.

2. At the very outset, Sh. R.K. Sharma learned counsel for the applicant stated that before filing the present Original Application, the applicant got

issued a legal notice (Annexure A-7) through his counsel on 25.10.2020. However, neither the said notice has been replied by the respondents, nor his

grievance has been redressed upto now.

3. Learned counsel further submitted that the applicant will be satisfied if the present Original Application is disposed of with a direction to

respondents to treat the aforesaid legal notice as his representation and pass a reasoned and speaking order over the same within a time frame.

4. Keeping in view the aforesaid limited prayer made by learned counsel for the applicant, we deem it appropriate to dispose of the present Original

Application at the admission stage itself without entering into the merits of the case.

5. Accordingly, the present Original Application is disposed of with a direction to Divisional Railway Manager, Northern Railway, Ambala

(Respondent No.2 herein) to treat the applicant's legal notice dated 25.10.2020 as his representation and pass a reasoned and speaking order over

the same in accordance with law. Before taking such a decision, the applicant shall also be afforded an opportunity of hearing. The whole exercise

shall be undertaken within a period of two months from the date of receipt of a certified copy of this order.

6. Ordered accordingly. However, there shall be no orders so as to costs.