

(2020) 11 CAT CK 0031

In the Central Administrative Tribunal

Case No : Original Application No. 1749 Of 2020, Miscellaneous Application No. 2257 Of 2020

Santosh Kumar

APPELLANT

Vs

Ministry Of Railways & Others

RESPONDENT

Date of Decision : 06-11-2020

Acts Referred:

Administrative Tribunals Act, 1985 — Section 19

Citation : (2020) 11 CAT CK 0031

Hon'ble Judges : A.K. Bishnoi, Member (A), R.N. Singh, Member (J)

Bench : Division Bench

Advocate : Manjeet Singh Reen, Krishan Kant Sharma

Final Decision : Disposed Of

Judgement

R.N. Singh, Member (J)

1. Present Shri Maneet Singh Reen, learned counsel for the applicant.
2. Heard.
3. In the present Application filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant is aggrieved of his non-appointment under the respondents under LARSGESS Scheme in spite of the fact that his claim has already been considered prior to 27.10.2017.
4. Learned counsel for the applicant submits that the entire consideration process for such appointment had been completed by the respondents before 27.10.2017. However, the respondents have failed and neglected to issue an offer of appointment to the applicant and aggrieved of the same, the applicant has preferred representations to the respondents on 18.06.2019 (Annexure A-8) and 05.04.2020 (Annexure A-12).

5. It is further added by learned counsel for the applicant that the respondents were required to consider the claim of the applicant keeping in view

their own policy decisions dated 28.9.2018 (Annexure A-5), 5.3.2019 (Annexure A-6) and 26.2.2020 (Annexure A-11). However, till date the

claim/representation of the applicant has not been considered by the respondents.

6. Issue notice.

7. Shri Krishan Kant Sharma, learned standing counsel appearing for the respondents, accepts notice.

8. At this stage, Shri Manjeet Singh Reen, learned counsel for the applicant submits that applicant will be satisfied if OA is disposed of with a direction

to the respondents to consider the claim of the applicant as made in his representations dated 18.06.2019 (Annexure A-8) and 05.04.2020 (Annexure

A-12) and to decide the same keeping in view the letters/circulars of the respondents â?" Railways, referred to hereinabove, in a time bound manner.

To such request of the learned counsel for the applicant, there is no objection from the learned counsel appearing for the respondents.

9. In view of the aforesaid, without going into merits, the present OA is disposed of with a direction to the competent authority under the respondents

to consider the representations of the applicant 18.06.2019 (Annexure A-8) and 05.04.2020 (Annexure A-12) keeping in view their own

letters/circulars and dispose of the same by passing an appropriate reasoned and speaking order as expeditiously as possible and in any case, within 10

weeks of receipt of a certified copy of this order.

10. The OA is disposed of in the aforesaid terms. However, in the facts and circumstances, there shall be no order as to costs.

Pending MA, if any, stands disposed of.