

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO. 307/2002

Thursday, this the 9th day of May, 2002

Hon'ble Shri Kuldip Singh, Member (J)
Hon'ble Shri S.A.T. Rizvi, Member (A)

Shri Som Prakash Mitra
S/O Late Shri P.C. Mitra
Chief Office Superintendent
Indian Railway Conference Association
Accounts Building, DRM Office
State Entry Road
New Delhi

..Applicant

(By Advocate: Shri B.S.Mainee)

Versus

Union of India through

1. The Secretary
Railway Board
Rail Bhawan
New Delhi
2. The General Manager
Northern Railway
Baroda House
New Delhi
3. The General Secretary
Indian Railway Conference Association
Accounts Building
DRM Office
State Entry Road
New Delhi

..Respondents

(By Advocate: Shri V.S.R.Krishna)

O R D E R (ORAL)

Shri Kuldip Singh, M (J)

We have heard the learned counsel appearing on either side and have perused the material placed on record.

2. The applicant in this OA has sought the following relief:

"8.1 That this Hon'ble Tribunal may graciously be pleased to direct the

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respondents to declare the result of the selection process of which was complete as far back as in August 2000 but the result has not been declared although the law on the point involved has been finally settled by the judgment of the Hon'ble Supreme Court;

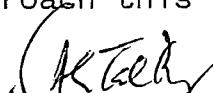
8.2 That this Hon'ble Court may graciously be pleased to direct the respondents to consider the applicant for promotion on adhoc basis as Assistant Secretary as per the settled practice.

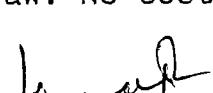
8.3 Any other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of this case.

8.4 Costs of the proceedings may also be granted in favour of the applicant."

3. The grievance of the applicant is that the Department has not been able to take any decision with regard to the fact that the single vacancy available for promotion can be reserved for SC/ST candidates or otherwise. It is contended on behalf of the applicant that he is the senior-most among the qualified candidates. Several representations have been filed by the applicant to the respondents for finalizing the selection and giving ad hoc promotion to him but the respondents have not taken any decision so far.

4. In the facts and circumstances of the case, we consider it proper to dispose of the present OA by giving a direction to the respondents to take a decision with regard to the post of Assistant Secretary (Group 'B') for promotion within a period of two months from the date of receipt of a copy of this order. If any grievance survives thereafter, the applicant is at liberty to approach this Tribunal in accordance with law. No costs.


(S.A.T. Rizvi)
Member (A)


(Kuldip Singh)
Member (J)

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