

Central Administrative Tribunal  
Principal Bench, New Delhi.

0A-2205/94

New Delhi this the 9th Day of November, 1994.

Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman(J)  
Hon'ble Mr. B.N. Dhoundiyal, Member(A)

Sh. S.M.K. Rizvi,  
S/o late Shri A.K. Rizvi,  
R/o 186-B, Station Colony,  
Izzatnagar, Barielly(UP). Applicant

(through Sh. Israr Ahmed, counsel)

versus

1. Union of India,  
through the Ministry of Railways,  
Rail Bhavan, New Delhi.  
(service through its Secretary)

2. The Executive Director,  
E.S.T.T.(R&S), Room No.364,  
Rail Bhavan, New Delhi.

3. The Chief Personnel Officer,  
North Eastern Railway,  
Gorakhpur.(UP). Respondents

ORDER(ORAL)

delivered by Hon'ble Mr. Justice S.K. Dhaon, V.C. (J)

Heard the Learned counsel for the applicant at length. We have perused the relevant papers filed in support of this application and we are satisfied that so far no cause of action has arisen to the applicant to come up with this O.A. It appears that on 27/30-9-94 Sh. A.K. Misra, Chief Personnel Officer wrote a D.O. letter to Sh. R.K. Parashar, Sr. Divl. Personnel Officer, Izatnagar. The substance of this letter is that inspite of the decision taken at the highest level one Shri Layak Singh, Head Clerk has not been promoted. Some obstructions are being placed by some one in that office. A suggestion has been made that disciplinary proceedings should be taken against the employee causing obstruction. The applicant apprehends that

on the basis of this communication, he may be reverted from the post of Office Superintendent Class-I to which he has been provisionally appointed. The apprehension may or may not be correct. This application, in our opinion, is rather premature. We, however, make it clear that if and when an order adverse to the applicant is passed, it will be open to him to challenge the legality of the same by taking appropriate proceedings before an appropriate forum.

The application is rejected summarily.

*B.N. Dhadia*  
(B.N. Dhadia)

Member (A)

*S.K. Dhaon*  
(S.K. Dhaon)

Vice-Chairman

/WV/