

Central Administrative Tribunal  
Principal Bench: New Delhi

(2)

OA No.331/94

New Delhi this the 23rd Day of February, 1994.

Shri N.V. Krishnan, Vice-Chairman (A)  
Shri B.S. Hegde, Member (J)

Girvar s/o Sh. Bharuti Ram,  
R/o Vill. & P.O. Kalada Kalcha  
Distt. Ghaziabad U.P. ....Applicant

(By Advocates Sh.R.Doraiswamy & Sh. Sant Singh)

Versus

1. General Manager,  
Northern Railway, Baroda  
House, New Delhi.
2. Chief Workshop Manager (CWM)  
Signal Workshop, N. Rly,  
Ghaziabad UP.
3. Principal,  
Signal and Telecommunication School,  
Northern Railway, Ghaziabad.

ORDER(ORAL)

(Mr. N.V. Krishnan)

Heard. It is stated that the applicant was a chowkidar and was placed on 18.12.91/ 20.12.91 in the panel of suitability of chowkidar to be appointed as Khallasi. He did nothing in the matter until 27.2.93 when he made a representation to the Chief Workshop Manager (Annexure A-1) with reference to Annexure A-4 panel. It is stated that no reply has been received.

2. The applicant has also filed Annexure A-5 stated to be a letter dated 19.7.93 from the General Manager, first respondent to the Chief Workshop Manager, second respondent. It is stated therein referring to the various letters that the applicant be absorbed as a Khallasi in the Signal Workshop, Ghaziabad on acceptance of bottom seniority. The learned counsel states that the Annexure A-5 document was obtained by the applicant from the office

u

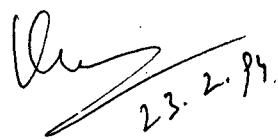
(3)

of the General Manager.

3. The prayer is that there should be a direction to the respondents to change the cadre/category of the applicant from chowkidar to Khallasi.

4. We have heard the learned counsel. In so far as the efforts of the applicant to pursue the matter with reference to the Annexure A-4 panel is concerned, we notice that he did not take steps in time to get relief on the basis of that panel.

5. In so far as the Annexure A-5 is concerned, that is a letter from the General Manager. We notice that no representation has been made and inconsistent with by him in pursuance of the Annexure A-5. We are, therefore, of the view that no cause of action has arisen to the applicant at present and, therefore, this OA is dismissed at the admission stage itself. We make it clear that this will not stand in the way of the applicant from making any representation to the competent authority in the light of the Annexure A-5 letter.

  
23.2.94

  
(B.S. Hegde)  
Member(J)

(N.V. Krishnan)  
Vice-Chairman

Sanju.