

**Central Administrative Tribunal
Principal Bench, New Delhi**



O.A. No.1009/2020

Through video conferencing

Tuesday, this the 24th day of September, 2020

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)**

J.L.Wankhade, Aged 57 years,
S/o Late Sh. L.N.Wankhade,
Working as Deputy Chief Project Manager (Accounting
Reforms), Northern Railway, HQs, Baroda House,
New Delhi
R/o D-1/6, RITES Flats,
Ashok Vihar, Delhi-110052.

... Applicant

(By Advocate: Shri Yogesh Sharma)

Versus

1. Union of India through the Secretary,
Railway Board, Rail Bhawan, New Delhi.
2. The Director (Estt.),
Ministry of Railway,
Railway Board, Rail Bhawan,
New Delhi.
3. Rail Indian Technical and Economic Service (RITES)
Limited,
Through its Managing Director,
1, Sector-29, Gurgaon-1.

... Respondents

(By Advocate: Shri V.S.R. Krishna with Shri Krishna Kant
Sharma)



ORDER (ORAL)

Mr. Justice L. Narasimha Reddy, Chairman :-

The applicant is working as a Deputy Chief Project Manager in the Northern Railways. The next upgradation is to the selection grade and that took place on 19.02.2019. The benchmark of the APARs for extending that benefit was 'Very Good' for the relevant years. The APAR of the applicant for 2014-15 was recorded as 'Good'. A representation made by him for upgradation thereof was rejected on 07.03.2017.

2. It is stated that several representations were made to the administration explaining the hardship on account of the bench mark stipulated for extending the benefit of selection grade. It is also mentioned that by taking the same into account, the administration of the Railways has issued Memorandum dated 23.05.2019, directing that the APAR, graded as 'Good' for the period anterior to 25.07.2016, shall be treated as 'Very Good'. The applicant states that he made a representation claiming the benefit under the circular dated 23.05.2019, and complains that no action has been taken thereon.



3. We heard Shri Yogesh Sharma, learned counsel for applicant and Shri V.S.R. Krishna with Krishna Kant Sharma, learned counsel for respondents.
4. The selection grade was extended to the eligible employees through order dated 19.02.2019. It was denied to the applicant because of his below bench mark APAR for the year 2014-15. No exception can be taken to the impugned order dated 19.02.2019.
5. The applicant and similarly situated persons made representations to the administration expressing the hardship faced by them. Taking the same into account, the administration has taken a policy decision to treat the APARs assessed as 'Good' for the period prior to 25.07.2016 as 'Very Good'. The result is that, the APAR of the applicant for the year 2014-15 is now deemed to be 'Very Good', notwithstanding, the rejection of the representation for his upgradation. As a consequence thereof, the applicant needs to be considered once again for extension of the benefit of selection grade.

5. We, therefore, dispose of the OA directing the respondents to pass orders on the representation

submitted by applicant, within a period of six weeks from the date of receipt of a certified copy of this order.

There shall be no orders as to costs.



(Pradeep Kumar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/sd/rk/ns/sd