

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.203/00457/2020

Jabalpur, this Friday, the 11th day of September, 2020

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER



Harish Kumar Sao S/o Shri L.N. Sao aged about 44 years,
Presently working as SSE (TN)/SECR/BSP, R/o Azad Nagar,
Bilaspur (CG)-495001 **-Applicant**

(By Advocate –**Shri A.V.Shridhar**)

V e r s u s

1. Union of India, through General Manager,
South East Central Railway, New GM Building, Bilaspur,
Chhattisgarh-495004

2. General Manager, South Eastern Railway,
Garden Reach, Kolkata (WB) 560037

3. Principal Chief Personnel Officer, South East Central Railway,
Bilaspur, Chhattisgarh-495004

4. Principal Chief Personnel Officer, South Eastern Railway,
Garden Reach, Kolkata (WB) 560037 **- Respondents**

(By Advocate –**Shri Vivek Verma**)

O R D E R (ORAL)

By Ramesh Singh Thakur, JM:-

This Original Application has been filed against the inaction of the respondent authorities in expediting the issue of seniority of the applicant pending before the authorities as a result of which the applicant would lose valuable opportunity of being empanelled as AEM against 70% Departmental Quota.

2. The main ground for challenging the inaction of the respondents are that the applicant was initially appointed as Apprentice Section Engineer on 02.08.2001 along with four other candidates and after completion of initial training two of the candidates were posted in Sini Division (erstwhile undivided SE Railway) and the applicant and one another were posted under the Bilaspur Division (erstwhile SE railway).



3. After trifurcation the applicant and one another were retained their posting in the newly carved out zonal Railway of SECR whereas the two other who had been posted in Sini Division retained their posting under SE Railway. The seniority position of those posted in SE Railway has been ascertained with effect from 01.08.2002 whereas the seniority of the applicant has been considered with effect from 31.10.2002. So there is loss of three months of seniority may oust the applicant from the panel of AEC against 70% departmental quota.

4. It has been submitted by the counsel for the applicant that the seniority list was issued however, as per Annexure A-3 the applicant made the representation to the Chief Personnel Officer South East Central Railway, Bilaspur dated 24.07.2020 which is pending.

5. Counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to decide the pending representation Annexure A-3 in a time bound manner.

6. We have considered the matter and we are of the view that natural justice will be met if the respondents are directed to decide Annexure A-3, which is representation for reconsideration in a time bound manner.

7. Resultantly, the respondents are directed to decide Annexure A-3, if not already decided within a period of 60 days from the date of receipt of a certified copy of this order.



8. Needless to say that the representation should be decided by a reasoned and speaking order and the respondents shall dealt with all the contentions raised in the representation.

9. With these observations the Original Application is finally disposed of at the admission stage itself.

(Naini Jayaseelan)
Administrative Member
rn

(Ramesh Singh Thakur)
Judicial Member