

Through Video Conferencing**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**
JABALPUR**Original Application No.203/553/2020**

Jabalpur, this Thursday, the 22nd day of October, 2020

HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER



1. Y.K. Dewangan, S/o Shri Patiram Dewangan, aged about 42 years, working as Loco Pilot (Goods), S.E.C. Railway, Office of – Chief Cru Controller, S.E.C. Railway, Bilaspur – 495004.

2. Sunil Kumar Sahu, S/o Late Atma Ram Sahu, aged about 41 years, working as Loco Pilot (Goods), S.E.C. Railway, Office of – Chief Cru Controller, S.E.C. Railway, Bilaspur – 495004.

3. Yogendra Kumar, S/o Shri Khazan Singh, aged about 48 years, working as Loco Pilot (Goods), S.E.C. Railway, Office of – Chief Cru Controller, S.E.C. Railway, Shahdol.

-Applicants

(By Advocate – Shri B.P. Rao)

V e r s u s

1. Union of India through the General Manager, S.E.C. Railway, Bilaspur Zone, Headquarters' Office, Bilaspur – 495004 (CG).

2. The Divisional Railway Manager, S.E.C. Railway, Bilaspur Division, DRM Office, Bilaspur – 495004 (CG).

3. The Sr. Divisional Personnel Officer, S.E.C. Railway, Bilaspur Division, DRM Office, Bilaspur – 495004 (CG)

-Respondents

(By Advocate – Shri A.S. Raizada)

ORDER

Heard.

2. The applicants are aggrieved by the written test conducted in 10 batches for the departmental promotion to the post of Loco Inspectors, as it was against the Railway Boards circulars.

3. From the pleadings the facts of the case are that the applicants are presently working as Loco Pilot (Goods) in Bilaspur Division. A notification No.69/2017 dated 22.11.2017 (Annexure A-1) was issued by the respondents inviting applications amongst the eligible candidates for promotion to 17 posts of Loco Inspectors. On fulfilling the eligibility criteria, the applicants submitted their applications and participated in the written test conducted in 10 different dates. The Railway Board had issued RBE No.108/2019 dated 03.07.2019 (Annexure A-3), whereby the eligibility criteria for promotion to the post of Loco Inspector/Chief Loco Inspector has been revised. However, the revised instructions have been made effective from the date of issue of said RBE.

4. The applicant submits that without disclosing reasons, the respondents vide their letter dated 08.08.2019 (Annexure A-4), have cancelled the



written examinations conducted vide letter dated 21.12.2018 (Annexure A-2) and have issued fresh notification No.38/2019 dated 30.09.2019 (Annexure A-5) with new eligibility criteria. Thereafter, the respondents ignoring the circulars Number RBE 196/2018 and other subsequent circulars, whereby it has been categorically instructed to introduce 100% multiple type choice paper, have conducted the written examinations on 10 different dates wherein many questions are subjective in nature. Aggrieved by the same, the applicants submitted the joint representation on 30.06.2020 (Annexure A-17). But till date the respondents have not decided the same.

5. At this stage, learned counsel for the applicants submits that the applicants will be satisfied if the applicants are given the liberty to file the detailed representations, qua their grievance to the competent authority, within one week and the competent authority may be directed to decide the same in a time-bound manner.

6. This Tribunal has considered the matter and of the view that ends of justice will be met if the applicants are allowed to file the detailed representation and thereafter the respondents may decide such representation in a time frame. Accordingly, the applicants are allowed to



file the detailed representation within one week from today and the competent authority shall decide the same within four weeks thereafter. Needless to say that the competent authority shall pass the reasoned and speaking order. All the contentions raised in the representation shall be dealt with.

7. With these observations, this Original Application is disposed of at the admission stage itself. No costs.



(Ramesh Singh Thakur)
Judicial Member

am/-