

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00572/2020

Thursday, this the 26th day of November, 2020

CORAM:

Hon'ble Mr. P. Madhavan, Judicial Member
Hon'ble Mr. K.V. Eapen, Administrative Member

Jincy K.O., aged 40 years,
 Points Man (PM-A/KUC),
 Now attached to Karukutty
 Railway Station, Karukutty PO,
 Ernakulam, residing at Poluvalappil House,
 Mannamangalam PO,
 Thrissur District, Pin – 680 014,
 Mobile-9961250699.

..... **Applicant**

(By Advocate : Mr. Babu Cherukara)

V e r s u s

1. Union of India, represented by the Secretary to the Rail Mandhralaya, New Delhi – Pin 110 010.
2. The General Manager,
 Southern Railway Head Quarters,
 Chennai – Pin 600 003.
3. The Sr. Divisional Personnel Officer, Trivandrum
 Divisional Railway Office, Housing Board, Thycaud,
 Trivandrum, Pin – 695 014.
4. Maya S., Points Man A., attached to Southern Railway,
 Ochira Railway Station, Ochira PO, Kollam District –
 Pin – 690 546, Now at C/o. the Principal,
 Multi Disciplinary Zonal Training Institute,
 Dindigul Road, Near Thiruchirapilly Jn., Railway Station,
 Tamil Nadu, Pin – 620 001.
5. Sreeja S.R., Pionts Man A., Attached to Southern Railway,
 Mulanthuruty Railway Station, Ernakulam District-Pin 682 314.,
 Now at C/o. The Principal, Multi Disciplinary Zonal Training
 Institute, Dindigul Road, Near Thiruchirapilly Jn., Railway
 Station, Tamil Nadu, Pin 620 001.

6. Chandana V., Points Man A., attached to Southern Railway, Mararikulam Railway station, Mararikulam PO, Alappuzha District – Pin 688 523, Now at C/o. the Principal, Multi Disciplinary Zonal Training Institute, Dindigul Road, Near Thiruchirapilly Jn., Railway Station, Tamil Nadu, Pin – 620 001.
7. P.M. Reshmon, Points Man B., attached to Southern Railway, Ernakulam Junction Railway Station, Cochin, Pin – 682 016, Now at C/o. the Principal, Multi Disciplinary Zonal Training Institute, Dindigul Road, Near Thiruchirapilly Jn., Railway Station, Tamil Nadu, Pin – 620 001.
8. Srijith M.S., Points Man B., now attached to Karakutty Railway Station, Karukutty, Karukutty PO, Ernakulam District- Pin – 683 576, Now at C/o. the Principal, Multi Disciplinary Zonal Training Institute, Dindigul Road, Near Thiruchirapilly Jn., Railway Station, Tamil Nadu, Pin – 620 001. **Respondents**

[By Advocate : Mr. Sunil Jacob Jose (R1-3)]

This application having been heard on 26.11.2020 through video conferencing, the Tribunal on the same day delivered the following:

O R D E R (Oral)

Hon'ble Mr. P. Madhavan, Judicial Member –

Heard Advocate Shri Babu Cherukara appearing for the applicant and the learned counsel appearing for the respondents 1-3 through video conferencing.

2. The applicant attended for the selection to the post of Station Master in pay matrix level-6 of VII CPC against 25% general selection in Operation Department which was conducted as per Annexure A2 notification dated 15.7.2019. The applicant fulfilled all the eligibility criteria to attend the selection and accordingly attended. However, the respondents ignored to include the name of the applicant in Annexure A1 provisional select list for

training. Aggrieved the applicant has filed the present OA seeking the following reliefs:

- “(a) Direct the official respondents to include the applicant also in the select list and send her for training considering her due marks 80 and to treat the applicant also in par with other duly selected candidates as per Annexure A1 provisional select list.*
- (b) Declare that the selection and posting of the persons who obtained less marks than the petitioner and the one who makes a barrier for the applicant to be selected and posted to the post of Station Master/pay matrix level-6 of VII PC in the selection as per Annexure A1 is illegal.*
- (c) order to set aside Annexure A1 provisional select list to the extent the same included candidates, the respondents 4 to 8 who scored less marks than the applicant on excluding the applicant.*
- (d) Issue any other orders as this Hon'ble Tribunal deems fit and proper in the facts and circumstances in the case and also those are prayed for during the pendency of the OA.*
- (e) Order for the entire costs.”*

3. When the matter came up for consideration, it appears that Annexure A8 representation dated 9.11.2020 filed by the applicant is still pending with the 3rd respondent and no action is taken on the same. Learned counsel for the applicant submitted that the training is going to start and he will be adversely affected if the representation is not disposed of before the starting of the training.

4. **Hence, in view of the limited relief sought by the applicant, we feel it appropriate to dispose of this OA without going into the merits of the case by directing the competent authority to consider Annexure A8 representation dated 9.11.2020 filed by the applicant by passing a reasoned and speaking order regarding his non-inclusion within a period of three weeks from the date of receipt of a copy of this order.**

5. The OA is disposed of as above at the admission stage itself. No costs.

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(P. MADHAVAN)
JUDICIAL MEMBER

“SA”

Original Application No. 180/00572/2020**APPLICANT'S ANNEXURES**

Annexure A1 – True copy of the provisional select list bearing No. V/P608/II/SMs/Genl.Selection/25% dated 8.10.2020.

Annexure A2 – True copy of the notification regarding selection process, issued by the Asst. Personnel Officer/T for Divisional Personnel Officer TVC dated 15.7.2019.

Annexure A3 – True copy of the notification regarding candidate list issued by the Asst. Personnel Officer/T for Divisional Personnel Officer TVC dated 9.1.2020.

Annexure A4 – True copy of the memorandum of mark list obtained by the applicant bearing No. V/P.608/II/SMs dated 6.11.2020.

Annexure A5 – True copy of the notification regarding the aptitude test dated 3.9.2020.

Annexure A6 – True copy of the result of the psychological aptitude test held on 9.9.2020.

Annexure A7 – True copy of the typed copy of service record of the applicant.

Annexure A8 – True copy of the representation dated 9.11.2020 by the applicant to the 3rd respondent.

RESPONDENTS' ANNEXURES

Nil

-X-X-X-X-X-X-X-