

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00280/2020

Jabalpur, this Thursday, the 17th day of December, 2020

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



Neeraj Kumar Swarnkar S/o Shri Manohar Lal Swarnkar
 D.O.B. 26.06.1977 R/o 32 Vakeel Colony
 Ram Devji Mandir Gali Near Kalika Mandir
 Ratlam (M.P.) 457 001

-Applicant

(By Advocate – **Shri S.K.Nandy**)

V e r s u s

1. Union of India, Through its General Manager
 Western Railway Church Gate
 Mumbai (Maharashtra) 400020

2. Divisional Railway Manager,
 Western Railway Ratlam Division
 Ratlam (M.P.) 457001

- Respondents

(By Advocate – **Shri A.S.Raizada**)

O R D E R(ORAL)

By Ramesh Singh Thakur, JM:-

Heard.

2. This Original Application has been filed by the applicant against the inaction of the respondent department for not conducting the selection process for promotion to the post of Loco-Inspector Level 7 despite the fact that the

applicant had preferred a series of representations no action has been taken by the respondents.



3. From the pleadings the case of the applicant is that the applicant is presently holding the posts of Loco Pilot (Goods) in the Ratlam Division of respondents department. As per notification dated 13.10.2018 (Annexure A-2), the respondent department issued notification for conducting selection process for promotion to 8 posts of Loco Inspector (7 posts of General Category & 1 post of ST Category). The written examination for the said selection was conducted on 30.09.2019 & 05.10.2019 in two stages, in which the applicant has appeared and get the qualifying marks. The respondents have issued notification dated 13.12.2019 (Annexure A-5) declaring the result of the said examination in which six candidates have been selected and two posts were kept vacancy.

4. Against his grievance the applicant has preferred a detailed representation dated 01.01.2020 (Annexure A-8) before the competent authority pointing out the illegalities and irregularities in the said examination. The respondents sit tight over the said representation and have not decided the same which compelled the applicant to again prefer a



representation for the said grievance. The respondents again issued one more notification dated 07.02.2020 (Annexure A-1) declaring the final result of the said examination inducting two candidates from ST category against the general category post and total eight candidates have been selected finally. The applicant has received his answer script through RTI and he came to know that two marks under the head of DAR have been deducted against the departmental proceedings of 2014. It also came to knowledge of applicant those two marks for DRM award has not been granted to him because of which he got total marks 56.50 whereas it should be 60.50. The applicant preferred a detailed representation dated 01.01.2020 (Annexure A-8) but he did not find any response from the respondent department. Thereafter the applicant had made another representation dated 17.02.2020 (Annexure A-9) but till date no decision has been taken by the respondents.

5. At this stage counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to decide representation Annexure A-9 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 the representation Annexure A-9, especially when the same is pending with the respondent department in a time bound manner.

7. Resultantly, the competent authority of the respondents are directed to decide the representation filed at Annexure A-9, if not already decided within a period of six weeks from the date of receipt of a certified copy of this order.



8. Needless to say that the final order should be reasoned and speaking one and the respondents shall also be met with all the contentions raised in the representation before deciding the matter finally.

9. The applicant is directed to make available copy of today's order as well as copy of Original Application to the competent authority of the respondents as early as possible.

10. 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