

(15)

Central Administrative Tribunal  
Principal Bench: New Delhi

RA-257/94 in New Delhi this the 11<sup>th</sup> Day of August, 1994.  
OA-539/86

Sh. N.V. Krishnan, Vice-Chairman (A)  
Sh. C.J. Roy, Member (J)

Sh. Pooran Lal,  
S/o Sh. Karan Singh,  
R/o B-154, Pandav Nagar,  
Patparganj Road,  
Delhi- 110 092.

....Applicant

(By Advocate Sh. Jai Gupta)

Versus

1. General Manager,  
Northern Railway  
Headquarters Office,  
Baroda House,  
New Delhi.
2. Chief Public Relations Officer,  
Northern Railway,  
State Entry Roady,  
New Delhi.
3. The Secretary,  
Railway Board,  
Ministry of Railways,  
Rail Bhawan,  
New Delhi.

...Respondents

ORDER(BY CIRCULATION)

This application seeks review of our order dated 24.5.94. We have seen the R.A. and are satisfied that this can be disposed of in circulation and we proceed to do so.

2. We had held in our judgement that the applicant was promoted in accordance with the circular as Publicity Inspector grade Rs.425-640 but he was reverted by the competent authority after considering the working report obtained from the Branch Officer. In the R.A. it is <sup>been</sup> stated that no adverse working report has been placed on record and it is not known whether such a report was forwarded at all or considered by the competent authority.

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3. Hence, it is stated that this conclusion does not have any basis and needs review.

4. Our finding was rendered on the basis of the reply of the respondents to para 6(vi) of the O.A. wherein the aforesaid facts were mentioned.

5. The applicant did not contend in his rejoinder that the respondents should be put to strict proof in regard to this averment and that they should be directed to produce the record. On the contrary, it was only submitted as follows:-

"Reply to the Reply para No.6(vi) of the Respondents No.1&2.

That the contents of reply para in question are distorted representing the twisted picture, wilfully and skilfully concealing the element of personal bias and prejudice on the part of the Respondent No. 2 against the petitioner as per the facts enumerated in the original petition, thereby influencing the mind of the competent authority viz. Resp.1 to take a decision to revert the applicant, by not allowing the latter to take a reasonable, judicious and fair decision in the matter of independent and just manner. Other contentions are hereby reiterated."

6. In the circumstance, we are fully justified in relying on the averments made by the respondents to come to the conclusion. We do not find any merit in the R.A., which is dismissed.

(C.J. Roy)  
Member(J)

'Sanju'

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(N.V. Krishnan)  
Vice-Chairman(A)