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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

O.A.No. 393/91

New Delhi: January 11, 1995.

HON'BLE MR.S.R.ADIGE, MEMBER (A).

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (C)

Shri M.P.Singh,

s/o Shri J.D.Singh,
Diesel Fitter, Grade-I,
Diesel Shed, Tuklakabad,
New Delhi.

.....Applicant.

By Advocate Shri G.D.Bhandari.

Versus

1. Union of India, through
General Manager,
Northern Railway,
Baroda House,
New Delhi.

2. Divisional Railway Manager,
Northern Railway,
State Entry Road,
New Delhi.

.....Respondents.

By Advocate Shri Shyam Moorjani.

JUDGMENT(ORAL)

By Hon'ble Mr.S.R.Adige, Member (A).

In this application, Shri M.P.Singh, Senior Chargeman, Diesel Shed has prayed for quashing of the impugned reversion order dated 19.6.91, and for a direction to the respondents to declare the result of the selection held on 18.7.88 followed by the interview held on 23.8.88 (Annexure-A21 and A22), and further direction to the respondents to give all the consequential benefits resultant to the declaration of the aforesaid selection by interpolating his name in the earlier selection panel and pay and arrears of salary and allowances etc.

2. We have heard Shri G.D.Bhandari for the applicant and Shri Moorjani for the respondents.

3. From the statements, made by both the learned counsel, and the documents placed for our perusal by Shri Bhandari, it appears that the applicant has been interpolated in the regular list of 1981 vide order dated 23.8.93 and it is also conceded very fairly by Shri Bhandari that the applicant has been promoted firstly as Chargeeman Grade Rs.1400-2300 and secondly as Chargeeman II Grade Rs.1600-2660. Shri Bhandari, however, states that while the applicant's junior, he received a further promotion as Foreman Grade Rs.2000-3200, the applicant still continues to work as Senior Chargeeman, and a prayer has, therefore, been made that the applicant is also considered for further promotion as Foreman.

4. Shri Moorjan has also very fairly conceded that if the applicant makes a representation to the authority concerned, specifying his grievance, the respondents would be willing to consider the same and thereafter dispose of the representation in accordance with law and the extant rules and instructions on the subject. We, therefore, dispose of this O.A. with the direction that in the event the applicant files a representation, highlighting his grievance before the concerned authority (Divisional Railway Manager, Cuttack - respondent No.2), the said functionary will give the applicant an opportunity of being heard and thereafter to dispose of the said representation by a detailed speaking order within two months of the date of the representation being filed, and intimation to the applicant. Liberty is given to the applicant that in the event any right still survives thereafter, it will be open to him

to agitate the matter ^{after} after exhausting all available remedy, if so advised, in accordance with law. No costs.

Lakshmi Swaminathan
(LAKSHMI SWAMINATHAN)
MEMBER (J)

S. R. Adige
(S. R. ADIGE)
MEMBER (A)

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