

(15)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

OA NO.671/2004

New Delhi this the 6<sup>th</sup> April, 2005

**HON'BLE MR.JUSTICE M.A.KHAN, VICE-CHAIRMAN(J)**  
**HON'BLE SHRI S.A.SINGH, MEMBER(A)**

Chander Prakash  
S/o Shri Tilak Ram  
R/o 200/C-4, Railway Colony,  
Basant Lane, Pahar Ganj,  
New Delhi - 110 055.  
(By Advocate: Sh. O.P.Lohia)

...Applicant.

Versus

1. Union of India through  
General Manager,  
Northern Railway, Baroda House,  
New Delhi.
2. The Chief Personnel Officer,  
Northern Railway, Baroda House,  
New Delhi.
3. The Chief Commercial Manager (Catering)  
Northern Railway, Baroda House,  
New Delhi.
4. The Chief Manager,  
Northern Railway, Baroda House,  
New Delhi-110002.

...Respondents.

(By Advocate: Shri R.L.Dhawan)

ORDER (ORAL)

By Mr. Justice M.A.Khan, Vice-Chairman (J):

At the time of hearing, learned counsel for applicant has stated that the present OA may be disposed off since the respondents have already changed the date of birth and the date of joining of the applicant in the service record by their order dated 5.4.2004. They had also circulated a provisional seniority ~~inviting~~ vide letter dated 5.4.2004 and had invited objection from the employees concerned. The applicant could not submit his objection / representation since this seniority list was circulated during the pendency of the OA. Learned counsel requested that the applicant may be allowed to file a representation/objection against the seniority list, which was circulated vide letter dated 5.4.2004 for correcting the position of the applicant given in the seniority list. It is further requested that the respondents be directed to dispose off the objections / representation of the applicant by passing a reasoned and speaking order, within the time

*Mr. Justice M.A. Khan*

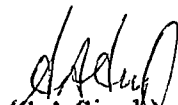
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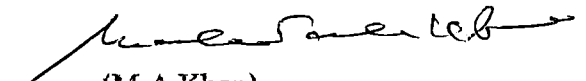
stipulated by the Tribunal and the applicant may be granted liberty to challenge the final order passed by the respondents, if he is aggrieved. Learned counsel for the respondents does not oppose the request.

2. In the totality of the facts and circumstances of the case, we are inclined to agree with the submissions. Accordingly, we allow the applicant to make a representation / objections to the respondents against the seniority list, which was circulated vide letter dated 5.4.2004 and for redressal of his grievances as to his promotion etc. We direct that the respondents to consider the said ~~representation~~<sup>representation</sup> of the applicant and decide the same by passing a reasoned and speaking order within a period of four weeks from the date on which the copy of the representation/objections along with the copy of this order is received by them. Learned counsel for the applicant undertakes to file the representation /objections of the applicant and the copy of the order of this Tribunal ~~before~~<sup>in</sup> the respondents within one week from today.

3. As suggested, the OA is disposed off in terms of the above order. No costs.

  
(S.A. Singhi)  
Member (A)

/kdr/

  
(M.A. Khan)  
Vice-Chairman (J)