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CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE <sup>15</sup>24 DAY OF DECEMBER, 1997

Original Application No. 1376 of 1997

HON.MR.JUSTICE B.C.SAKSENA,V.C.

HON.MR.D.S.BAWEJA, MEMBER(A)

Jai Ram Singh, S/o Het Ram  
R/o Kutebapur, P.O. Madanpur  
Distt: Ferozabad.

.. .. Applicant

(By Advocate Shri K.S. Saxena)

Versus

1. Union of India through DRM, N. Railway Allahabad.
2. The Divisional Superintending Engineer/III N.Railway, DRM Office Allahabad.
3. The Asstt.Engineer, Northern Railway Etawah.
4. Shri K.K. Pandey, Storeman/Under AEN N.Railway, Etawah through Asstt. /Gangman Engineer, N.rly, etawah

.. .. Respondents

O R D E R(Reserved)

HON.MR.JUSTICE B.C.SAKSENA,V.C.

We have heard the learned counsel for the applicant when the case came up for admission. The applicant's case in short is that he was selected as Storeman Gr.800-1150 and has been working at Etawah since 1996. The applicant has indicated that one K.K. Pandey(respondent no.4) has been promoted as Storeman which was declared by letter dated 13.10.90. It has also been indicated that respondent no.4 refused to take the promotion. Consequently, the applicant in this OA has indicated certain provisions of the Indian Railway Establishment Manual Vol-1 touching the question of currency of panel and the consequences that are to ensue on refusal to take the promotion.

2. It is not necessary to give out the details and pleadings by the applicant. Since in our opinion the OA is clearly premature and does not deserve to be entertained at this

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stage. The applicant has filed copy of a letter dated 12.12.97 sent by the Asstt. Engineer Northern Railway Etawah to the Divisional Superintending Engineer/III Northern Railway, Allahabad forwarding the applicant's representation dated 10.12.97 for consideration and disposal. The Divisional Superintending Engineer has so far passed no orders. The learned counsel for the applicant, however, submitted that since the Asstt. Engineer in his letter has stated that the representation of Jairam Singh(the applicant) now under order of reversion is sent herewith for consideration. The learned cocounsel submitted that order for reversion of the applicant is under consideration. Be that as it may, the fact remains that no order for the applicant's reverasion has so far been passed. The OA has been filed to obtain an anticipatory relief. Under section 19 of the A.T. Act, An OA would be maintainable only against a final order passed by the authorities. The OA is accordingly dismissed as being premature at this stage.

MEMBER(A)

Dated: December 24<sup>th</sup>, 1997

VICE CHAIRMAN

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