

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 467 of 1997

Allahabad this the 06th day of August, 2004

Hon'ble Mr. Justice S.R. Singh, V.C.
Hon'ble Mr. D.R. Tiwari, Member(A)

Munish Chandra Saxena, aged about 50 years, S/o
 Shri Basant Rai R/o 312, Issai Tola, Jhansi.

Applicant

By Advocate Shri R.K. Nigam

Versus

1. Union of India through General Manager, Central Railway, Mumbai CST.
2. Divisional Railway Manager, Central Rly., Jhansi.
3. Denial D'Souza, Office Superintendent, Grade II C/o Sr.Divisional Electrical Engineer(TD) Central Railway, Jhansi.
4. Hari Prakash Sharma, Office Superintendent Grade II C/o Sr.Divisional Electrical Engineer(TD) Central Railway, Jhansi.
5. L. Dawson, Office Superintendent Grade II C/o Sr.Divisional Electrical Engineer(General) Central Railway, Jhansi.

Respondents

By Advocate Shri Prashant Mathur.

O R D E R (oral)

Hon'ble Mr. Justice S.R. Singh, V.C.

The applicant who is working presently
 O.A., praying
 as Head Clerk has filed this for direction to the
 respondents to promote him as Office Superintendent
 Grade-II in the pay scale of Rs.1600-2660(RPS) under

Q49

.....pg.2/

(27)

:: 2 ::

scheme ✓
the scope of Railway Board's letter dated 22.01.93
circulated vide HQRs letter dated 12.01.93 and
D.R.M. Jhansi's letter dated 04.02.1993 thereby
giving him the benefit of restructuring scheme.
It is not disputed that prior to restructuring
of cadre, the post of Office Superintendent Gr.II
was a selection post and the applicant though required
vide letter no.G/309/Vidyut/Repre/EO-Pt.II dated
07.02.1996 to appear in the selection but he did
not appear in the selection. However, contention
of the applicant is that after restructuring of
the cadre, promotion to the post of Office Supdt.
Grade II is required to be made on the basis of
seniority subject to suitability. This position
is not disputed by Shri Prashant Mathur, counsel
appearing for the respondents. The applicant, it
appears, from the averments made in the rejoinder,
has preferred representation claiming benefit of
orders of restructuring of the cadre which is
pending. Therefore, we are of the view that it
would meet the ends of justice if the present O.A.
is finally disposed of with direction to the competent
authority to consider and dispose of the representation
filed by the applicant by a reasoned and speaking order
to be passed and communicated to the applicant within
a period of 4 months from the date of receipt of a copy
of this order alongwith copy of representation. It
would be open to the applicant to supplement his
representation by means of a fresh representation.

2. The O.A. is accordingly disposed of in the
above terms. No order as to costs.

/M.M./

Member (A)

Vice Chairman