

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 616 of 1998

Allahabad this the 17th day of May, 2002

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.
Hon'ble Mr.C.S. Chadha, Member (A)

Vishwajit Sinha S/o Suresh Chandra Prasad R/o 1289/F.
Manas Nagar Colony, Mughalsarai, Varanasi.

Applicant

By Advocates Shri S.K. Dey
Shri S.K. Mishra

Versus

1. Union of India through the General Manager,
E.Rly. 17 Netajee Subhas Road, Calcutta-1.
2. The Senior D.P.O., E.Rly. Mughalsarai.
3. The Divl. Mechanical Engineer(P) E.Rly. Mughal-
sarai, Dt. Varanasi.

Respondents

By Advocate Shri K.P. Singh

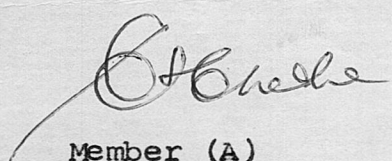
O R D E R (Oral)

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

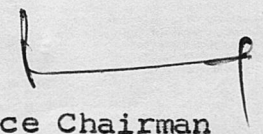
By this O.A. the applicant has prayed for a direction to the respondents to consider him for regularisation to the post of Clerk Grade II. The case of the applicant is that he had joined railways on 22.06.89 as Cleaner in Mechanical Power Section and he was upgraded to the category of Khalasi Helper in the scale of pay Rs.2650-4000(RP). The applicant was asked to participate in the selection for the post of Clerk Grade II in the scale of Rs.950-1500(RP). The ..pg.2/

applicant participated in the selection. He qualified in the written test but in viva voce test ~~he~~ failed and could not be selected. The grievance of the applicant is that the respondents are taking work from him of Clerk Grade II, ^{when} but is not being regularised. As the applicant has already faced selection and not selected for the post of Clerk Grade II, we do not think that the applicant is entitled for any direction from this Tribunal against the respondents to regularise him on the post on the basis of work he has done on the post on ad hoc basis. Before coming to this Tribunal he filed a representation addressed to Divisional Railway Manager, Eastern Railway, Mughalsarai to ~~be~~ provide him the scale of Clerk Grade II on which post he is working since 1997. It is submitted that the representation has not yet been decided.

2. Considering the facts and circumstances, though the applicant is not found entitled for any directions to the respondents for regularisation on the post of Clerk Grade II, ^{however} ~~but~~ if work is ^{being} taken from him on that post, he may be entitled for that scale. For this reason, we dispose of this O.A. finally with the directions to the Divisional Railway Manager, Eastern Railway, Mughalsari to consider and decide the representation of the applicant (annexure A-7) by a reasoned order within 3 months from the date of receipt of this order. To avoid delay, it shall be open to the ~~to~~ applicant to file a fresh copy of the representation alongwith copy of this order. No order as to costs.


Member (A)

/M.M./


Vice Chairman