

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Allahabad, this the day of 4th July 2000.

Original Application No. 726/98

CORAM - :

Hon'ble Mr. S.K.I.Naqvi, J.M

Prem Shanker Prasad
S/O Yadunath Prasad
R/O New Loco Colony,
Q.No. 231B Northern Railway,
Varanasi. Applicant

Counsel for Applicant :-

Shri H.N.Singh.

Versus

1. Union of India through Secretary Ministry of Railway Government of India, New Delhi.
2. Divisional Railway Manager
Northern Railway,
Hazaratganj, Lucknow.
3. Assistant Mechanical Engineer
Northern Railway
Hazaratganj, Lucknow.

..... Respondents

Counsel for respondents :-

Shri A.K.Gaur

S. Gaur

O R D E R

(By Hon. Mr. S.K.I.Naqvi, J.M.)

Shri Prem Shanker Prasad claims to have been engagedd in the respondents establishment with effect from 13-12-1979 and while working as cleaner in Loco-Foreman Northern Railway Varanasi, He was subjected to departmental proceedings which hampered his regularisation and promotion. Now, as per applicant's case, when the punishment period is over his services are not being regularisation, Now he is being considered for promotion, He also mentions that he moved representation to the authorities in department but the same has not been decided, therefore, he has come up before the Tribunal.

2. The respondents have contested the case ^{and} as file counter reply mainly on the ground that the name of the applicant could not be placed in panel because of his involvement in a vigilance case which ended into punishment of withholding increment temporarily. When the applicant was exonerated of charges in April 1998 his name has been placed on the panel as Callman subject to out-come of disciplinary action.

3. Heard the learned counsel for the rival contesting parties and perused the record. We find that applicant was denied regularisation and promotion because of departmental proceedings pending against him and mentioned in Para-9 of C.A. The applicant has been exonerated on the charges in April 1998 and, therefore, his name has been placed on the panel as Callman. I find ~~the~~ fit matter to directed the respondents to decide the pending representation of the applicant the dated 05-06-1998, the copy of which has been

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annexed as Annexure-7, within six weeks from date of
communication of this order, along with copy of this
~~defenceable~~, ^{pending} order by passing a detailed speaking and reasoned,
order. The O.A. is decided with above ~~operation~~ ^{objection}.

No order as to costs.

S. M. -
J.M..

Madhu/