

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

Allahabad this the 10th day of July, 2001.

CORAM :- Hon'ble Mr. Justice R.R.K. Trivedi, V.C.  
Hon'ble Maj. Gen. K.K. Srivastava, A.M.

Orginal Application No. 681 of 2001.

Km. Manju Sharma D/o Sri C.P. Sharma  
7-A, S.P. Marg, Albert Road, Civil Lines, Allahabad.

.....Applicant.

Counsel for the applicant :- Sri S.S. Sharma

V E R S U S

1. Union of India owning and representing 'Norhtern Railway' notice to be served to the General Manager, Northern Railway, Headquarters Office, Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway, DRM Office, Allahabad.

.....Respondents.

Counsel for the respondent :- Sri A.K. Gaur.

O R D E R (Oral)

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

By this application under section 19 of the Administrative Tribunal's Act, 1985, applicant has prayed for a direction that respondent No.1 may be directed to consider the case of the applicant for promotion/regularisation to the post of clerk/typist in grade of Rs. 3050-4590/-. It has also been prayed that respondents may be directed to pay salary to the applicant for the

post of clerk which she has discharged since Oct. 1992.

2. The facts of the case are that the applicant was appointed as Health Attendant (Group 'D') vide order dated 29.03.1989 against Scout and Guide quota. Applicant joined but she was asked to work in the office of Scout and guide as clerk. She is discharging duties since then as clerk. Learned counsel has submitted that the recommendation was made to Rajya Sachiv, Northern Railway Bharat Scouts and Guides/ G.M, H.Qs. Baroda House, New Delhi to consider the case of the applicant on 20.02.1995. A copy of recommendation made by District Commissioner/Additional D.R.M, Northern Railway Bharat Scouts and Guides, Allahabad has been filed as annexure- 11. However, no action has been taken. It is also submitted that against 33% quota for appointment as group 'C' employee by promotion from group 'D' was also claimed by the applicant which has not been considered though she is serving as group 'C' employee since 1992.

3. We have considered the submission of counsel for the parties. The applicant is required to approach the appropriate departmental authority for the relief claimed before coming to this Tribunal, which has not been done by the applicant. In the facts and circumstances, in our opinion, applicant may be given liberty to make representation before the General Manager/ Rajya Sachiv, Northern Railway Bharat Scouts and Guides which may be directed to decide by reasoned order within specified time. Direction also be given to respondent No. 2 to consider the claim of the applicant.

4. For the reasons stated above this OA is disposed

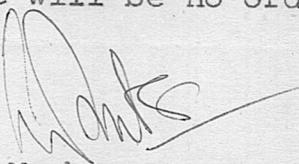
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of finally with the liberty to the applicant to file a representation before General Manager/Rajya Sachiv, Northern Railway Bharat Scouts and Guide, HQs, New Delhi, within two weeks. The representation if so filed, shall be considered and decide by the G.M. by reasoned order within three months from the date a copy of this order alongwith copy of representation is filed before him.

5. The applicant is also given liberty to make representation before respondent No.2 for consideration of her claim for promotion and appointment as group 'C' employee. The representation if so filed, shall also be considered and decided by respondent No.2 within three months from the date a copy of this order as filed.

6. There will be no order as to costs.



Member-A.



Vice-Chairman.

/Anand/