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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.06 OF 2005

ALLAHABAD THIS THE 6TH DAY OF JANUARY, 2005

HON'BLE MR. A. K. BHATNAGAR, MEMBER-J

HON'BLE MR. B. R. TIWARI, MEMBER-A

Mr. Abdul Gaffoor Khan,
aged about 52 years,
Son of Late Abdul Zia Khan,
R/o 377 Isai Tola, Jhansi.

..... .Applicant

(By Advocate Shri R.K. Nigam)

Versus

1. Union of India,
through General Manager,
North Central Railway, Allahabad.

2. Divisional Railway Manager,
North Central Railway, Jhansi Division,
Jhansi.

..... .Respondents

(By Advocate Shri K.P. Singh)

O_R_D_E_R

HON'BLE MR. A. K. BHATNAGAR, MEMBER-J

By this O.A. applicant has sought for the
following reliefs:-

"(i) issue a direction of mandamus thereby commanding the respondents to immediately promote the petitioner in the grade of Rs.6500-10,500/- for which a time bound direction may be issued.

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(ii) issue restrain the respondents from making the selection through the regular mode of selection (Written viva) purporting to cover the petitioner under the circular dated 9.12.2004 the promotion scheme illegally.

(iii) To dispose of the representation of the petitioner by a reasoned and speaking order.

(iv) to award heavy cost."

2. As per applicant, he was working as Assistant Station Master at Jhansi. The Railway Board enforced the scheme for re-structuring the cadre vide letter dated 09.10.2003 (Annexure-2). The applicants' name was at serial no.45 in the seniority list dated 03.02.2004.

3. Grievance of the applicant is that ignoring the claim of the applicant other persons have been benefited. Learned counsel for the applicant has submitted that he has sent a representation regarding his grievances to respondent no.2 on 03.09.2004 (Annexure-7) of the O.A. and the applicant will be satisfied if his representation is decided by the competent authority within a fixed period of time.

4. Having heard counsel for the parties, we ~~consider~~ ^{in view of the} ~~it necessary~~ that this O.S. can be disposed of at the admission stage itself without calling for CA ~~by~~ [✓] reasoned and speaking order."

5. Accordingly, the O.A. is disposed of by issuing a direction to respondent no,2 i.e. Divisional Railway Manager, North Central Railway, Jhansi to consider and decide

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the representation of the applicant dated 03.09.2004 by a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order. To facilitate the ^{early} ~~earlier~~ decision in this matter, the applicant may send a detailed representation alongwith a copy of this order.

6. There shall be no order as to costs.

D.S.
Member-A

A.J.
Member-J

/ns/