

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

ORIGINAL APPLICATION NO.189 OF 1987

Gajju Lal Applicant.
Versus
Union of India through G.M.,
North Railway, New Delhi and
another Respondents.

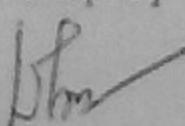
Hon'ble D.S. Misra, A.M.Hon'ble G.S. Sharma, J.M.

(Delivered by Hon. D.S. Misra, A.M.)

In this application under Section 19 of the Administrative Tribunals Act XIII of 1985, the applicant has challenged the order dated 27.11.1986 of the Divisional Railway Manager, Northern Railway, Moradabad by which the applicant has been reverted from the post of Booking Supervisor in the scale of Rs.550-750 to the post of Booking Clerk in the scale of Rs.425-640.

2. The applicant's grievance is that he has been reverted without being given any reason for the same. He has filed a representation against this order on 18.12.1986 followed by further representations dated 5.1.1987 and 10.2.1987. On his own admission, a period of 6 months has not elapsed and *prima facie* the application is premature.

3. The learned counsel for the applicant has contended that as the respondents had failed to file any reply to ~~the~~ allegations contained in para 20 of



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and the respondents have ^{only} refused to dispose of the application, it was a fit case for admission. It is further contended that the earlier application No. 759 of 1986 filed by the applicant was rejected by this Tribunal on the ground that the applicant had not exhausted the departmental remedy available to him. We have considered the matter and we are of the opinion that the application is premature under Section 2D of the Administrative Tribunals Act and at this stage it would be sufficient to direct the respondents to decide the appeal ^{representation} filed by the applicant. The applicant will have the opportunity to file a fresh application if he is not satisfied with the appellate order.

4. For the reasons mentioned above, the application is rejected summarily as premature with the direction to the respondents to decide the appeal ^{representation}, if any, filed by the applicant within a period of two months from the date of receipt of this order.

A. M.
7.5.87

A.M.

J. M.

J.M.

Dated: May 7, 1987.

JS/PG.