

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD.**

ORIGINAL APPLICATION NO. 184 of 1999.

Allahabad, this the 7TH day of December, 2005.

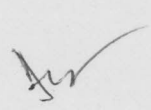
**QUORUM : HON. MR. A.K. BHATNAGAR, J.M.
HON. MR. S.C. CHAUBE, A.M.**

1. Dilip Kumar Shukla, Son of, Late Kapil Deo Shukla, Section Engineer, Track North Eastern Railway, Chief Engineer Office, Gorakhpur.
2. Anil Kumar Singh, Son of, Jai Narayan Singh, Section Engineer, Track, Siwan North Eastern Railway, Siwan.
3. P.P. Kajoor (ST), Section Engineer (Track) North Eastern Railway, Lal Kuan.
4. Ramesh Kumar Kanaugia (ST), Senior Section Engineer (Work), North East Railway, Gorakhpur.
5. Dharendra Mehrotra, Section Engineer (Track), North East Railway, Budun.
6. Vinod Kumar Gupta, Section Engineer (Track), North East Railway, Ballia.
7. Om Prakash (SC), Senior Section Engineer (Track), North East Railway, Siwan.
8. Jai Prakash Singh (OBC), Section Engineer (R), North East Railway, Burwhal.
9. Anil Kumar Singh, Section Engineer (Work), North East Railway, Gorakhpur.

.....Applicants.

(By Advocate : Sri B.C. Naik)

Versus

1. Union of India through General Manager, North Eastern Railway, Gorakhpur.
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2. General Manager(P), North Eastern Railway, Gorakhpur.
3. Chief Personnel Officer, Ministry of Railway, Railway Board, New Delhi.
4. Deputy Director of Establishment (G.P.), Railway Board, New Delhi.
5. Ministry of Railway, Railway Board through its Chairman, New Delhi.

.....Respondents.

(By Advocate : Sri A. Tripathi)


O R D E R

BY HON. MR. A.K. BHATNAGAR, J.M.

By this O.A., the applicants have prayed for the following reliefs :-

- "i) To issue an order or direction commanding the respondents to provide the applicants/section Engineers, the designation and post of Assistant Engineer Class-2 (gazetted Officer) in place of Section Engineer.
- ii) To issue an order or direction commanding the respondents to provide the applicants/Section Engineers 'Bounded Year Promotion' facility as provided to the employees selected through Indian Engineering Service conducted by Union Public Service Commission.
- iii) To issue an order or direction directing the respondents to decide the representation of the applicants with reasoned order within a month."

2. We have heard the counsel for the parties and perused the pleadings on record.



3. The brief facts giving rise to this O.A. are that the applicants are engineering graduates having qualification of Bachelor of Engineering (B.E.). After facing All India Competition conducted by the Railway Board, they were initially appointed as Section Engineer in the pay scale of Rs.2000-3200. The post of Section Engineer has been placed in Class-III (non-gazetted). The applicants are seeking direction to the respondents placing the Section Engineers on the post of Assistant Engineer (Class-II gazetted), who are directly appointed Section Engineer after facing all India Competitive examination held by the Railway Recruitment Board and providing them the 'Bounded Year Promotion' facility as provided to the employees selected through Indian Engineering Service conducted by Union Public Service Commission. At the very outset during the course of arguments, counsel for the applicant pointed out that the applicants have already sent a representation regarding their grievances to the department on 4.8.1998 filed as Annexure-1 to the O.A. and the interest of the applicants will be served if their representation is decided by the competent authority as per rules. On the other hand, counsel for respondents submitted that their representation has not been received in the office of the respondents as stated in para 22 of the counter.

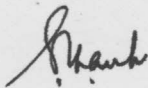
4. Counsel for the respondents further submitted that he will be having no objection if the applicants are allowed to file a fresh representations individually to the competent authority and the same is decided as per rules by the competent authority in the department.


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5. Without going into the merits of the case, we consider it appropriate that this O.A. can be disposed of by allowing the applicants to file a fresh representation individually to the competent authority regarding their grievances through proper channel. In case, the same are received in the office of the competent authority, the same will be decided within a stipulated period.

6. Accordingly, the O.A. is finally disposed of with liberty to the applicants to file fresh representations to the competent authority within a period of four weeks from the date of receipt of a copy of this order with the further direction to the competent authority to decide the same by a reasoned and speaking order as per rules within a period of six months from the date of receipt of the representations along with copy of this order.

No order as to costs.


A.M.


J.M.

Asthana/