

Open Court

In the Central Administrative Tribunal,
Allahabad Bench, Allahabad.

....

Original Application No. 679 of 1999.

this the 23rd day of May 2001.

Hon'ble Mr. Rafiq Uddin, Member (J)

Bhagwan Das Yadav, S/o late Chedi Lal Yadav, Electric
Fitter Grade-III, Diesel Shed, N.R. Mughalsarai.

Applicant.

By Advocate : Sri A.K. Jaiswal.

Versus.

Union of India through Division Manager, N.R., Lucknow.

2. Divisional Engineer (D), N.R., Mughalsarai.

3. Asstt. Engineer (D), N.R., Mughalsarai.

4. The Senior Divisional Mechanical Engineer (D), N.R.,
Lucknow.

5. Bharat Ram Tripathi, Electric Fitter Grade-II, Diesel
Shed, Mughalsarai.

Respondents.

By Advocate : Sri P. Mathur.

ORDER (ORAL)

The applicant-Bhagwan Das Yadav, who was promoted to the post of Diesel Electric Fitter Grade-II vide order dated 16.6.1998 and was posted at Lucknow from Mughalsarai, has filed this O.A. for issuing directions to the respondents to post him at Mughalsarai Diesel shed on the aforesaid promoted post.

2. The main grievance of the applicant is that one Sri Bharat Ram Tripathi (respondent no.5) is junior to the applicant and was promoted on the post, in question, has not been shifted from Mughalsarai to any other station and has been accommodated at Mughalsarai Diesel Shed itself, due to some political influence being Trade union leader, the action of the respondents is not valid against the applicant.

3. During the course of arguments, the learned counsel

R

for the applicant has submitted that the O.A. may be disposed of with the direction to decide the various representations submitted by the applicant to the D.R.M., N.R., Lucknow. It has, however, been pointed-out by the learned counsel for the respondents that the competent authority to consider and decide the representation of the applicant is Senior Divisional Mechanical Engineer, N.R., Lucknow (respondent no.4) and none of the representations submitted by the applicant has been addressed to the aforesaid authority. The learned counsel for the applicant states that the applicant will ~~be~~^{be} submitted^{be} a fresh representation to the respondent no.4 and directions may be issued to consider his representation. Accordingly, the O.A. is disposed of with the direction to the applicant to submit a fresh representation regarding his grievance within a period of two weeks from the date of communication of this order, to the respondent no.4. The respondent no.4 would consider and pass appropriate orders within a period of two months from the date of receipt of such representation, as per rules. The O.A. stands disposed of as above with no order as to costs.

Zabir Uddin

MEMBER (J)

GIRISH/-