

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION No.1133/1999

WEDNESDAY, THIS THE 22ND DAY OF MAY, 2002

HON'BLE MAJ. GEN. K.K. SRIVASTAVA .. MEMBER (A)

HON'BLE A.K. BHATNAGAR .. MEMBER (J)

Israr Ahmad,
S/o Md. Sharif,
R/o Malekhar, P.O. Mughalsarai,
District Varanasi. ... Applicant

(By Advocate Shri S.K. Mishra)

versus

1. Union of India, through
the General Manager,
Eastern Railway,
Calcutta.
2. The Divisional Mechanical Engineer (C&W),
Eastern Railway, Mughalsarai,
Varanasi. ... Respondents

(By Advocate Shri A.K. Gaur)

ORDER - (ORAL)

Hon'ble Maj. Gen. K.K. Srivastava, Member (A):

By this O.A., filed under Section 19 of the A.T. Act, the applicant has prayed for a direction to the respondents to consider him for promotion to the post of Welder Gr.II in the panel dated April, 1999.

2. Shri S.K. Mishra, learned counsel for the applicant submitted that the applicant has been denied the promotion for the post of Welder Gr.II arbitrarily and illegally by the respondents because his junior one Shri Naeem Akhthar was promoted ignoring the applicant's seniority. The learned counsel for the applicant has submitted that the


...2...


applicant has represented against the same to Respondent No.2 by sending a representation dated 6.5.1999 (Annexure-A1) which has still not been decided. He prays that the same may be ordered to be decided within a specified time.

3. The learned counsel for respondents submitted that no representation from the applicant has been received and in the absence of any representation, the respondents are unable to decide the case of the applicant.

4. We have examined the records and have heard the counsel for the parties.

5. In our view, the ends of justice would meet if the representation of the applicant dated 6.5.1999 is decided by a reasoned and speaking order within a specified time. The O.A. is finally disposed of with a direction to Respondent No.2 to decide the representation of the applicant by a reasoned and speaking order within 3 months from the date of communication of this order along with a copy of the representation dated 6.5.1999. Liberty is given to the applicant to file a fresh representation within 2 weeks after receiving a copy of the order. No costs.


MEMBER (J)


MEMBER (A)

psp.