

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

....

Original Application No.1476 of 2002.

this the 19th day of December 2002.

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, VICE-CHAIRMAN
HON'BLE MAJ GEN K.K. SRIVASTAVA, MEMBER (A)

Gulab Pandey, S/o Sri Basudev Pandey, R/o L-W-20E R.P.F.
Colony, Manduwaadeeh, Varanasi, presently posted as Clerk in
the office of DRM (P), N.E.R., Varanasi.

Applicant.

By Advocate : Sri D.B. Yadav.

Versus.

1. Union of India through its Secretary, Department of Railway, New Delhi.
2. General Manager, N.E.R., Gorakhpur.
3. Divisional Rail Manager (P), N.E.R., Varanasi.
4. Sr. Divisional personnel officer, N.E.R., Varanasi.
5. Chief Personnel Officer, N.E.R., Varanasi.

Respondents.

By Advocate : Sri A. Chowdhary holding brief of Sri K.P. Singh.

ORDER (ORAL)

JUSTICE R.R.K. TRIVEDI, V.C.

By this O.A., the applicant has prayed for a direction to the respondents to provide the financial up-gradation under ACP Scheme as the applicant has completed more than 24 years of regular service.

2. The facts as stated by the applicant are that the applicant was initially appointed as Constable in the Railway Protection Force (in short RPF) on 14.10.1965. He served as Constable upto 1989. In January'90, the applicant was de-categorised and was absorbed in the



commercial side on the post of Courier (Junior Clerk). The grievance of the applicant is that he is still being continued in the same pay-scale, though he has served with the department for more than 24 years. It is stated that the applicant has not been granted any promotion, therefore, he is fully entitled to be given the benefit under the ACP Scheme. Before coming to this Tribunal, the applicant filed a representation addressed to the DRM, N.E.R., Varanasi, which is stated to be pending with the respondents for consideration.

3. In the facts and circumstances of the case, in our opinion, the ends of justice would be better served if the respondent no.3 is directed to decide the representation of the applicant by a reasoned and speaking order within a specified period of time.

4. The O.A. is accordingly disposed of finally with the direction to the respondent no.3 to consider and decide the representation of the applicant by a reasoned and speaking order within a period of three months from the date of copy of this order is filed before him. To avoid delay, it shall be open for the applicant to file a copy of the representation alongwith a copy of this order. No order as to costs.



MEMBER (A)



VICE-CHAIRMAN

GIRISH/-