

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Misc. Application No. 5122 of 2002

in

Diary No. 4922 of 2002 O.A. No. 1605 of 2002

Allahabad, this the 19th day of <sup>May</sup> 2002.

connected vide

order in M.A. No

2726/03 dtd 26.05.05

QUORUM :

HON. MR. S.K. AGRAWAL, AM.

HON. MRS. MEERA CHHIBBER, JM.

R. N. Sinha

L/6/05

Shri Kailash Bharti C/o

Dhaneshwar Bhartiya Son of Sri Dharm Deo Bhartiya,  
Resident of Jatepur Railway Colony, Quarter No.  
L/19-H, District Gorakhpur.

..... Applicant.

(By Advocate : Shri R. N. Sinha  
~~U. S. Mishra~~)

Versus

1. The Union of India, through -  
the General Manager, N.E. Railway, Gorakhpur.
2. The Chief Personnel Officer,  
North Eastern Railway, Gorakhpur.
3. The Divisional Manager, North Eastern Railway,  
Ashok Marg, Lucknow.
4. The Senior Divisional Personnel Officer,  
North Eastern Railway, Ashok Marg, Lucknow.

..... Respondents.

(By Advocate : Shri K.P. Singh)

ORDER

BY HON. MR. S.K. AGRAWAL, MEMBER (A)

By this O.A. under section 19 of Administrative  
Tribunal Act 1985, the applicant has approached this  
Tribunal for relief with a prayer to direct the respondents  
to appoint the petitioner as a Class IV employee in the

Lucknow division, as has been done in O.A.No. 22 of 1993 and also directions to the respondents to fully implement the final screening result as published on 01.08.1987.

2. The facts of the case in brief are <sup>as narrated by applicant B</sup> that some regular vacant posts in the category of Group 'D' were available in the Mechanical department of loco and C&W depots in Lucknow division. For regular absorption in service of Group 'D' staff, screening committee was formed in the year 1987. The applicant had also appeared before the screening committee for regular absorption and a list was issued by the respondents on 01.08.1987 (Annexure A I, pages 17 to 25) and the applicant's name was also mentioned in the said list at serial no. 162. It is submitted by the applicant's counsel in this regard that the entire list of selection consisting of 363 persons have not been completely given effect to as certain people shown junior to the applicant have been appointed but, not the applicant though he was medically examined also <sup>B had been</sup> and waiting for appointment. It is further mentioned that he had submitted a representation in this regard which was received by the respondents in their office on 10.10.02 but that is still pending and not disposed of at the end of the respondents. The applicant's counsel has prayed that necessary directions may be issued to the respondents for disposal of the representation filed by the applicant, which was received in their office on 10.10.02. Respondent's counsel has no information or instructions in this regard from the department. The respondent's counsel submitted that he has no objection if the respondents are directed to dispose of the representation, filed by the applicant.

3. To meet the ends of justice, we feel that it will be just & proper to direct the respondents at this stage to dispose of the representation filed by the applicant addressed to General Manager, N.E.Railway, Gorakhpur, for his re-engagement on regular basis in Class IV category.

4. In view of the above without going into the merits of this case, we direct the respondents authority to dispose of the representation filed by the applicant in October, 2002 by a <sup>well reasoned and</sup> speaking order within a period of three months from the date of receipt of this judgment. With the above observations, the O.A. is disposed of without any cost. *In the result, OA no. 5122/2002 also must disposed of*

Member (J)

Member (A)

M.M./-