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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD.

Original Application No. 1413 of 2003.

Allahabad this the 09th day of December 2003.

Hon'ble Maj Gen K.K. Srivastava, Member-A.
Hon'ble Mr. A.K. Bhatnagar, Member-J.

Anil Kumar Srivastava
s/o Sri Bhagwan Lal Srivastava,
r/o 124/91 Subhas Nagar
Post Gorakhnath,
District Gorakhpur.

.....Applicant.

(By Advocate : Sri R.K. Dubey)

Versus.

1. Union of India through its
General Manager, N.E Railway,
Gorakhpur.
2. General Manager (Personnel)
N.E. Railway,
Gorakhpur.
3. Chief Workshop Manager
(Personnel) N.E. Railway,
Mechanical Workshop
Gorakhpur.

.....Respondents.

(By Advocate : Sri K.P. Singh)

O_R_D_E_R

(By Hon'ble Maj Gen K.K. Srivastava, A.M)

In this O.A. filed under section 19 of
Administrative Tribunals Act 1985, the applicant has
prayed for direction to respondents to give promotion to
the applicant on the post of A.C. Mechanic/Electric Fitter
scale of Rs. 3050-4590 with effect from 27.06.2000, the
date of promotion of his juniors.

2. The facts, in short, are that from 01.01.1987
to 13.12.1989 applicant received Act Apprenticeship
training at N.E Railway Loco & Carriage Workshop Gorakhpur
in the trade of Mechanist. He completed training
successfully and was appointed as Khalasi in the Train
Lighting Workshop N.E. Railway, Gorakhpur. During 1999
notification for promotion to the post of A.C. Mechanic/
Electric fitter pay scale of Rs. 3050-4590 was issued

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under G.D.C.E. scheme. Applicant appeared in the selection and as per applicant he was declared successful on 04.02.2000 and was placed at Sl.No.5. Vide letter dated 21.03.2000, the respondent No.2 directed for medical test and also for proceeding on training and posting etc. for the selected candidates. By letter dated 16.05.2000, respondent No.3 directed the applicant to proceed on training for six months. Meanwhile the promotion of the applicant was withheld on the ground of pendency of disciplinary proceedings. The applicant, aggrieved by the action of the respondents in not promoting him, filed a representation on 16.04.2002 followed by reminders, last being a detailed representation dated 01.08.2003. The grievance of the applicant is that his representation ^{has been} ~~has not~~ decided so far.

3. Learned counsel for the respondents prays for time for filing counter affidavit. We are not inclined to grant any time for filing counter affidavit as this ^{an} is the fit case to be decided at the admission stage itself.

4. We have heard counsel for the parties, and perused records and in our opinion, the interest of justice shall better be served if the representation of the applicant dated 01.08.2003 (Annexure 11) is decided by the respondent No.2 i.e. General Manager (Personnel) by a reasoned and speaking order within specified time.

5. In the facts and circumstances, the O.A. is disposed of at the admission stage itself by direction to respondent No.2 i.e. General Manager (Personnel) to decide the representation of the applicant dated 01.08.2003 (Annexure 11) by a reasoned and speaking order within period of three months from the date of communication of this order.

No costs.

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Member-J.

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Member-A.