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OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**ALLAHABAD BENCH**  
**ALLAHABAD**

Dated: This the **05<sup>th</sup>** day of **MAY** 2006.

Original Application No. 440 of 2006.

**Hon'ble Mr. A.K. Bhatnagar, Member (J)**  
**Hon'ble Mr. A.K. Singh, Member (A)**

Keshav Prasad Shukla, S/o late G.S. Shukla,  
R/o 330-A, Calcutta Railway Colony,  
GORAKHPUR.

.....Applicant

By Adv: Sri O.N. Tripathi

V E R S U S

1. The Union of India, through its General Manager,  
N.E. Railway,  
GORAKHPUR.
2. General Manager (Personnel),  
N.E. Railway,  
GORAKHPUR.
3. Controller of Stores, N.E. Railway,  
GORAKHPUR.
4. Satish Kumar Singh, Head Clerk,  
Controller of Stores, N.E. Railway,  
Gorakhpur.

.....Respondents

By Adv: NIL

**ORDER**

**By A.K. Bhatnagar, JM**

By this OA the applicant has prayed for the following reliefs:-

- a. *"To issue a writ, order or direction in the nature of mandamus commanding the respondents not to give effect to the final result declares on 27.03.2006.*
- b. *Issue a writ, order or direction directing the respondents to declare the applicant as successful as he has passed the written examination, also senior to respondent No. 5 and also there is nothing adverse against the applicant during his service period.*

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c. ...  
d. ..."

2. Brief facts of the case giving rise to this OA, as per the applicant, are that in pursuance of the notification issued by the respondent No. 2 i.e. General Manager (Personnel), N.E. Railway, Gorakhpur, for promotion from Head Clerk to the post of O.S.-II, an eligibility list was issued in which the applicant's name finds place at Sl. No. 24 (annexure 1). Thereafter, the department conducted a written examination on 02.02.2006 and the result of the same was declared on 20.02.2006, in which the applicant was declared pass. His name is shown at Sl No. 14 of the list (Annexure 2).

3. The grievance of the applicant is that when final result was declared on 27.03.2006, the name of his junior Sri Satish Kumar Singh, who was at Sl. No. 15 was included as successful candidate superseding the applicant who was at Sl. No. 14 in the list of 20.02.2006 (Annexure 3). Thereafter, the applicant filed a representation on 28.02.2006 regarding his grievances to the respondent No. 3 i.e. Controller of Stores, N.E. Railway, Gorakhpur. But according to him no action has so far been taken on his representation. At this stage learned counsel for the applicant submitted that the applicant will feel satisfied if his representation is decided by the competent authority as per rules within specified period.

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4. After hearing learned counsel for the applicant we find that the interest of justice will be met if an appropriate direction is issued to the Competent Authority/Respondent No. 3 i.e. Controller of Stores, N.E. Railway, Gorakhpur to decide the representation of the applicant dated 28.03.2006 (Annexure 5) by a reasoned and speaking order within a period of three months from the date of communication of this order.

5. The OA stands disposed of in terms of above direction.

6. There shall be no order as to costs.

Member (A)

Member (J)

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