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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

ORIGINAL APPLICATION NO. 684 OF 2006

ALLAHABAD THIS THE 10TH DAY OF JULY 2006.

Hon'ble Mr. A.K. Singh, A.M
Hon'ble Mr. M. Kanthaiah, J.M

Dinesh Kumar Kushwaha son of late Ram Ganesh Kushwaha
Guard Head Quarter Prayag Northern Railway R/o House
NO.395, Chhote Lal Kushwaha Nagar, Post Office
Teliarganj, District Allahabad.

.....Applicant.

(By Advocate: Sri R. Yadav/Sri V.B Yadav)

Versus.

1. Union of India through the General Manager,
Northern Railway Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway
Lucknow.
3. Senior Divisional Operating Manager Northern
Railway, Lucknow.
4. Senior Divisional Personal Officer Northern
Railway, Lucknow.
5. Station Superintendent Northern Railway Station
Prayag District Allahabad.

.....Respondents

O R D E R

By Hon'ble Mr. A.K. Singh, A.M

Heard Sri R. Yadav counsel for the applicant.

2. The applicant is working on the post of Guard,
Head Quarter Prayag, Northern Railway, Lucknow. The
applicant completed initial training in the Zonal
Training School, Chandausi for promotional course
w.e.f. 15.3.1991 to 21.4.91. He cleared the aforesaid
training. The applicant was senior to his fellow

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2.

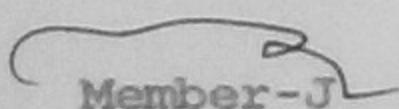
employees in his grade when he initially joined the service but due to mistake on the part of the Railway Administration, they superseded the applicant. He has filed a representation dated 27.7.2005 (Annexure 1 of the O.A.). He submits that he will be satisfied if the representation, in question, is decided by the respondent NO.2 after taking into consideration that he has been senior to his other colleagues at the time of joining the service who have already been promoted to the post of Passenger Guard and also in view of his long service of 30 years.

3. We have considered the submissions made by the learned counsel for the applicant. We are of the considered view that the interest of justice will be adequately met if the respondent NO.2 is directed to decide the above representation within a definite schedule of time as per a reasoned and speaking order and in accordance with rules.

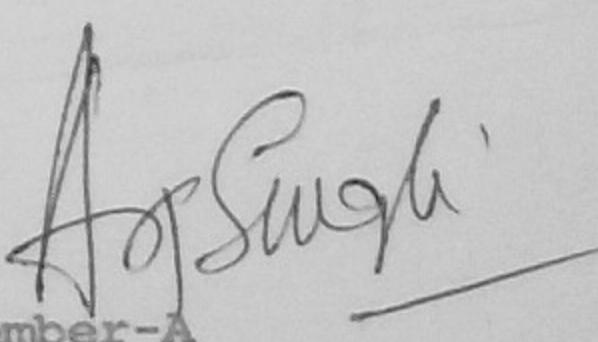
4. Accordingly, we direct the respondent NO.2 to decide the representation of the applicant dated 27.7.05 (Annexure No.1 to the O.A) by taking into account the submission made in the O.A. as well as in his representation referred to above within a period of three months from the date of this order by a reasoned and speaking order in accordance with rules. The applicant is directed to submit a copy of the representation dated 27.7.05 alongwith O.A. to respondent NO. 2 for necessary decision in the matter.

5. O.A. is disposed of accordingly

No costs.


Member-J

Manish/-


Member-A