

07/8. S. K. Das
 B. Mohapatra —
 S. K. Misra
 CAT 11/11
 S. K. Das
 B. N. Mohapatra

(A)
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A./T.A./R.A. No. 344 1996

V. Chinna Rao Applicant(s)

Union of India & ors. Respondent(s)

Sr. No	Date	Order with Signature
	21/5/96	<p style="text-align: center;">REGISTER</p> <p style="text-align: center;">S/..... Registrar</p> <p>21/5/96</p> <p>For Regn. pt.</p> <p>(B.M.)</p> <p>21/5/96</p> <p>14.05.96</p> <p>Memorandum</p> <p>14.05.96</p> <p>Registration S/.....</p> <p>for admission</p> <p>Bench 14.5.96</p> <p>Bench</p> <p>Copy of order dt. 15.5.96 along with original application may be sent to all the respondents by Regd. Post and the copy of order be supplied to ptnrs. counsel.</p> <p>Memorandum</p> <p>S.C. T7.05.96</p>
1	15.5.96	<p>Heard Shri S.K.Das, learned counsel for the applicant and perused the contents of the petition. By an order dated 16.10.1985 the applicant was reverted back to the substantive post of Booking/Parcel Clerk on the plea that the applicant could not qualify in the selection and that qualified candidates were not available. The matter ultimately came to the Tribunal by Transferred Application No.20 of 1987. This Tribunal was pleased to dispose of the said application by quashing the order of reversion and directing the respondents to give the two further chances to qualify and in the event of passing the test, to regularise the services of the applicant in the promotional post. The applicant passed the selection test in the next chance. His grievance is that the consequential directions of the Tribunal were not implemented. Services of some juniors in the promotional posts have been regularised and these juniors have been promoted to the cadre of Enquiry-cum-Reservation Clerk</p> <p>...</p>

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...1	15.5.96	<p>Grade-I. The representations of the applicant through Union and other sources have not been considered.</p> <p>In this application the applicant prays to include him in the cadre list of Enquiry-cum-Reservation Clerk after regularising his services in all the promotional posts by restoring his seniority and to fix the scale of pay accordingly. In this behalf the applicant has filed a representation dated 4.12.1995 vide Annexure-2 to the General Manager, S.E. Railway, Calcutta, who is Respondent 1 in this application. This was forwarded to the Chief Personnel Officer (Coml) S.E. Railway, Strand Road, Calcutta by the Office of the Divisional Railway Manager (P), Khurda Road on 21.12.1995, vide Annexure-3. The prayers in the Original Application are identical to the relief sought by the representation dated 4.12.1995 to the General Manager, S.E. Railway, Calcutta. As the departmental remedy has not been exhausted, it is appropriate to issue a direction to Respondent 2, Chief Personnel Officer, S.E. Railway, 14-Strand Road, Calcutta, to whom the representation dated 4.12.1995 has been forwarded by the D.R.M., (R), S.E. Railway, Khurda by its letter dated 21.12.1995.</p> <p>I accordingly direct Respondent 2 i.e. Chief Personnel Officer, S.E. Railway, 14, Strand Road, Calcutta, to dispose of the representation within a period of six weeks from the date of receipt of</p> <p style="text-align: right;">Received a copy for the applicant Adv. 17.5.92</p>

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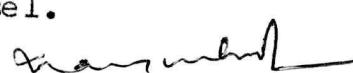
Order with Signature

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a copy of this order. Respondent 2 shall afford an opportunity to the applicant of being heard and if he disagrees with the request made in the representation, he shall pass a reasoned and speaking order.

With this direction the Original Application is disposed of.

Hand over a copy of the order to the petitioner's counsel.


MEMBER (ADMINISTRATIVE)