

O.A.N.153 OF 2006

Order dated – 07.02.2008.

The Hon'ble Dr. K.B.S.Rajan, Member (Judicial)
And
The Hon'ble Mr. C.R.Mohapatra, Member (Admn.)

The applicant who belongs to Chakradhar^{pur} Division was posted as Train Superintendent to work in Rajdhani Features train and later on vide Annexure-8 order dated 09.11.2004 it was decided that the Train Superintendents posted in thirty nominated trains with Rajdhani Type Features be withdrawn and deployed in ticket checking squads for intensive checking and improving window earning. Against this, he has made his grievance vide representation dated 19th March, 2005. In the said representation, the applicant clearly stated that the post which he was then holding is of ex-cadre nature. The grievance of applicant seems to have been aggravated by virtue of the fact that by the time he was back to his original department, some of his juniors got their promotion in their hierarchy.

2. Respondents have filed their reply. It has been stated by them that unless the Applicant joins in his

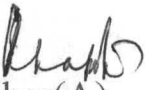


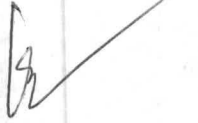
12
parent cadre where his lien is maintained further promotion cannot be effected with reference to his juniors if promoted.

3. Learned Counsel for the Respondents fairly submits that the Respondents shall consider the case of applicant for promotion from the date his juniors got promoted, subject to his fitness. He has, therefore, submitted that the OA may be disposed of by recording his above submission. Learned Counsel for the Applicant has no objection to this.

4. In view of the above, this OA is disposed of with direction to the Respondents to take necessary action for consideration of the case of application^{nt} for promotion in his parent cadre where his lien is maintained with reference to the promotion of his juniors and if promoted, he should be given all consequential benefits.

5. This O.A. is accordingly disposed of. No costs.


Member(A)


Member(J)