

ORDER DATED 5<sup>th</sup> MARCH, 2008

Coram:

Hon'ble Shri M.R. Mohanty, Vice-Chairman

Hon'ble Shri C.R. Mohapatra, Member(A)

Applicant, an employee of undivided South Eastern Railways, exercised option to be absorbed in East Central Railways having Head Quarters at Hajipur. By filing this Application under Section 19 of the Administrative Tribunals Act, 1985 he has made a grievance that some of the Railway employees of the undivided South Eastern Railways like him exercised their option to be absorbed in East Central Railways but, while allowing others to be absorbed in East Central Railways, the case of the Applicant has not yet received due consideration by the Authorities/Respondents in order to be absorbed in East Central Railways. It is stated that the option and representations of the Applicant are still pending with the Authorities. It is the case of the Applicant that steps have been taken to fill up the posts in East Central Railways and delay in considering the case of the applicant ( to go to East Central Railways) shall affect him in the matter of his seniority in the East Central Railways.

2. Having heard Mr. P.K. Mohapatra, Ld. Counsel appearing for the Applicant and Mr. S.K. Ojha, Ld. Standing Counsel for the Railways ( on whom a copy of this O.A. has already been served), this case is hereby disposed of with a direction to the Respondents to look to the grievances of the Applicant (pertaining to

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his absorption in East Central Railways) expeditiously. In the event the grievances of the Applicant (to be absorbed in East Central Railways) is allowed by the Respondents, then the Respondents should also consider to give due seniority/ protection to the Applicant vis-à-vis new entrants. Three months outer limit ( to complete the exercise by the Respondents, for giving consideration of the case of the Applicant) is fixed, from the date of receipt of the copies of this order. With these observations, and directions, this case stands disposed of.

3. Send copies of this order to the Respondents, (along with copies of this O.A) and free copies of this order be handed over to the Ld. Counsels appearing for both the parties.

  
MEMBER (A)

  
VICE-CHAIRMAN