

3

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO.228/2010

Cuttack this the 4th day of May, 2010

CORAM:

HON'BLE SHRI C.R.MOHAPATRA, ADMINISTRATIVE MEMBER
ORDER

1. This matter has been taken up to-day, on being mentioned by Shri D.K.Mohanty, learned counsel for the applicants. Shri S.K.Ojha, learned Standing Counsel for the Railways is present and has received a copy of the O.A.
2. There are three applicants in this O.A., who have, by filing Misc.Application No.247/2010, prayed for joint prosecution of this case. The prayer is allowed. Applicants are permitted to jointly prosecute this O.A. Accordingly, Misc.Application No.247/2010 is disposed of.


(C.R.MOHAPATRA)
ADMINISTRATIVE MEMBER

3. The main prayer of the applicants is that since their lien is being maintained at Nagpur under the South East Central Railway, Bilaspur, they have been considered and also found suitable for promotion to the post of J.E.I(Works) on regular basis. Now, Applicant Nos.1 and 2 are J.E.I (Works) are working on ad hoc basis and the applicant No.2 is working as J.E.II(Works) under the East Coast Railways. It is seen from Annexure-A/10 that an understanding has been reached between the officials of East Coast Railways and South East Central Railway for repatriation of the staff who are working in the respective Railways. In spite of this mutual agreement, the applicants are still not being relieved and in effect, they are losing both financially as well as in seniority. It is the case of the applicants

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that they have already made series of representations to Respondent No.2, the last being Annexure-A/12 dated 22.3.2010.

4. Since the representations are still pending, at this stage, as agreed to by the learned counsel for both the sides, without going into the merit of the case, the present O.A. can be disposed of by giving direction to Respondent Nos. 1 and 2 to consider the representations and take immediate action so as to release the applicants from East Coast Railways to enable them to report for duties at Nagpur Division for getting their promotion.

Ordered accordingly.

5. The above exercise shall be completed within a period of thirty days from the date of receipt of this order.

6. With the above direction, this O.A. is disposed of at the stage of admission itself.

7. On the prayer of the learned counsel for the applicants, copies of this order along with copies of the O.A. be sent to Respondent Nos.1 to 3 by Special Messenger at his cost and to Respondent Nos. 4 and 5 in normal course.


(C.R. MOHAPATRA)
ADMINISTRATIVE MEMBER