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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No.260/00289 of 2015
Cuttack, this the 27th day of May, 2015

**CORAM
HON'BLE MR. R.C. MISRA, MEMBER (A)**

Pradeep Kumar Swain,
aged about 48 years,
Son of Mangulu Charan Swain,
At present working as Track Maintainer-III
Under SSE/P.Way/ECoR/Reirakhole,
Resident of Quarter No.56,
Railway Colony, At/P.O.-Reirakhole,
Dist-Sambalpur, Odisha.

...Applicant
(Advocate: M/s. N.R. Routray, S. Sarkar, Mrs. J. Pradhan, T.K. Choudhury, S.K. Mohanty)

VERSUS

Union of India Represented through

1. The General Manager,
E.Co. Rly, E.Co.R Sadan,
Chandrasekhpur,
Bhubaneswar, Dist-Khurda.
2. Asst. Divisional Engineer,
East Coast Railway,
At/P.O-Reirakhole,
Dist-Sambalpur.
3. Senior Section Engineer (P.Way),
E.Co. Rly,
At/P.O/P.S.-Reirakhole,
Dist-Sambalpur.

... Respondents
(Advocate: Mr. T. Rath)



ORDER(Oral)

R.C. MISRA, MEMBER (A)

Heard Mr. N.R. Routray, Ld. Counsel appearing for the Applicant and Mr. T. Rath, Ld. Standing Counsel appearing for the Respondents-Railways, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. The applicant has filed this O.A. challenging the decision of reversion from the post of Track Maintainer-III to Track Maintainer-IV only by making correction in hand on the Muster Sheet without giving any opportunity of being heard and without following the proper procedure as well as without passing any order to that effect.

3. The case of the applicant is that he was selected for the post of Gangman in the scale of Rs.2610-3540/- on 09.01.2001 and he joined in the said post on 10.01.2001. He was promoted to the post of Mate in the year 2013 and was sent for training. On 01.01.2015 his designation was changed from Mate to Track Maintainer-III. However, on 13.05.2015, Respondent No.3 i.e., Senior Section Engineer (P.Way), E.Co. Rly, Reirakhole, Sambalpur handed over the Muster Sheet to the applicant from which he found that his designation had been changed from Track Maintainer-III to Track Maintainer-IV. A Copy of the Muster Sheet is enclosed to the O.A. vide Annexure-A/3. It is also brought to my notice that the applicant has made a detailed representation to the Asst. Divisional Engineer, East Coast Railway, Reirakhole, Sambalpur (Respondent No.2) praying therein to change his designation from Track Maintainer-IV to Track Maintainer-III in the Muster Sheet/Roll from the month of May, 2015.



4. In view of the aforesaid facts and circumstances stated above, at this stage, without entering into the merit of this case, I dispose of this O.A. with a direction to Respondent No.2 to consider the said representation (Annexure-A/4) as per Rules, if the same is received and still pending at his level, and communicate the result thereof to the applicant by way of a reasoned and speaking order within a period of 3 (three) weeks' from the date of receipt of a copy of this order.

5. With the above observation and direction this O.A. is disposed of at the stage of admission itself. No costs.

6. On the prayer made by Mr. Routray, Ld. Counsel for the applicant, copy of this order, along with paper books, be sent to Respondent No.2 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 29.05.2015.



(R.C. MISRA)
MEMBER(A)