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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.474 of 2016

Cuttack this the 19th day of July, 2016

CORAM
HON'BLE SHRI R.C.MISRA, MEMBER(A)
HON'BLE SHRI S.K.PATTNAIK, MEMBER(J)

ADMINISTRATIVE

M.V.Narasimham, aged about 55 years, S/o. late M.L.Swamy, presently working as Dy.FA & CAO/Cons/G., O/o. FA & CAO/Construction, East Coast Railway, Chandrasekharpur, Bhubaneswar, Dist-Khurda

...Applicant

By the Advocate(s)-M/s.A.Kanungo & C.Nayak

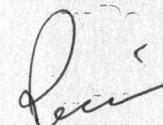
-VERSUS-

Union of India represented through:

1. The Chairman, Railway Board, Ministry of Railways, New Delhi-110 001
2. The Secretary, Railway Board, Ministry of railways, New Delhi-110 001
3. General Manager, East Coast Railway, Chandrasekharpur, Bhubaneswar, Dist-Khurda
4. FA & CAO, East Coast Railway, Chandrasekharpur, Bhubaneswar, Dist-Khurda

...Respondents

By the Advocate(s)_Mr.T.Rath



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ORDER(Oral)

R.C.MISRA, MEMBER(A):

Heard Mr.A.Kanungo, learned counsel for the applicant and Mr.T.Rath, learned Standing Counsel for the Respondent-Railways on the question of admission and perused the records.

2. Applicant is presently working as Dy.FA & CAO/Cons/G., O/o. FA & CAO/Construction, East Coast Railway, Bhubaneswar. He has approached this Tribunal being aggrieved by the action of the respondents in not including his name in the panel of (NFSG) Selection Grade published vide A/2 dated 28.04.2016. According to applicant, he meets the earlier prescribed criteria of 17 points for his name being included in the panel of NFSG. However, during the midst of consideration, the respondents decided to make the bench mark as 20 points and this why applicant's name has not been included in the selection list. It was also brought to our notice that the applicant has made a representation to the Secretary, Railway Board (res.no.2) on 13.5.2016 in which he has stated that had the earlier policy of 17 points been continued, his name could have ~~been~~ figured in the panel. Be that as it may, it is the case of the respondents that this representation has not yet been decided by res.no.2

3. Since the matter is under consideration, we are not inclined to admit this O.A. However, without entering into the merit of the matter, we would direct res.no.2 to consider and dispose of the aforesaid representation, if at all



pending, in the light of extant rules and regulations and communicate the decision thereon to the applicant in a reasoned and speaking order within a period of ninety days from the date of receipt of this order.

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

5. On the prayer made by the learned counsel, copy of this order along with paper book of O.A. be sent to res.no.2 by Speed Post at the cost of the applicant for which Mr.A.Kanungo undertakes to file the postal requisites by 20.7.2016.

6. Free copy of this order be made over to learned counsel for both the sides.

S.K.Pattanik
19/7/16
(S.K.PATNIK)
MEMBER(J)

R.C.Misra
(R.C.MISRA)
MEMBER(A)

BKS