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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

Q.A.No.926 of 2013
Cuttack this the 7th^d day of April, 2014

CORAM:
HON'BLE SHRI R.C.MISRA, MEMBER(A)

Maheswar Pattayat
Aged about 34 years
Son of Ramesh Chandra Pattayat
Present working as Senior Assistant Loco Pilot
Under Chief Crew Controller
East Coast Railway
Khurda Road
Dist-Khurda

...Applicant

By the Advocate(s)-M/s.A.K.Mukherjee
P.K.Chand
S.Swain

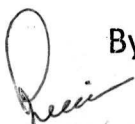
-VERSUS-

Union of India represented through

1. The General Manager
East Coast Railways
Rail Vihar
Chandrasekharapur
Bhubaneswar
Dist-Khurda
2. The Divisional Railway Manager
East Coast Railway
Khurda Road
Dist-Khurda
3. The Senior Divisional Personnel Officer
East Coast Railway
Khurda Road
Dist-Khurda
4. The Senior Divisional Electrical Engineer
East Coast Railway
Khurda Road
Dist-Khurda

...Respondents

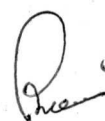
By the Advocate(s)-Mr.T.Rath



ORDER**R.C.MISRA, MEMBER(A)**

Heard Shri P.K.Chand, learned counsel for the applicant and Shri T.Rath, learned Standing Counsel (on whom a copy of this O.A. has been served) appearing for the Respondent-Railways. Shri Rath accepts notice on behalf of the Respondents. Registry is directed to serve notice under sub-rule-4 of Rule-11 of CAT(Procedure)Rules, 1987 on Shri Rath.

2. Applicant came and joined in Khurda Division on inter divisional mutual transfer from Agra Division. The present prayer of the applicant is for proper fixation of his position in the seniority list of Senior Assistant Loco Pilot in the Khurda Road Division. In this connection, Shri Chand, learned counsel for the applicant brought to my notice Annexure-A/3 of the O.A., which is a provisional seniority list of Senior Assistant Loco Pilot. The grievance of the applicant is that his position has not been properly reflected in the said seniority list and raising a grievance, he has made a representation to the Senior Divisional Personnel Officer, East Coast Railway (Res.No.3) vide his representation dated 20.6.2013, which is placed at Annexure-A/5 of this O.A. Shri Rath, learned Standing Counsel for the Railways has on the other hand submitted that applicant should have raised his objection to the draft seniority list published by the Respondents. Learned counsel for the applicant submitted that he is not aware of any draft seniority list to which Shri Rath replied that the Railways published the provisional seniority list in the web site and no intimation in this regard is sent individually. However, the applicant has raised certain issues on the seniority list in his representation dated 20.6.2013 and so far, the Respondents have not taken



any decision in this matter. In view of this, it is directed that if any such representation has been received by Respondent No.3, he should dispose of the same through a reasoned and speaking order, within a period of sixty days from the date of receipt of this order, and communicate the decision thereon to the applicant. However, I am not expressing any opinion on the merit of the issues that have ^{been} raised by the applicant in his representation.

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

4. Send copy of this order to Respondent No.3 and 4 and free copy of this order be made over to the learned counsel for both the sides.


(R.C.MISRA)
MEMBER(A)

BKS