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(3)

CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH,

JODHPUR.

O.A.No. 550/1995

Date of Order: 18.1.1996

Mani Ram Khyalia

... Applicant

VERSUS

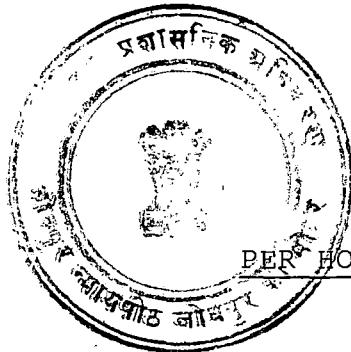
Union of India & ors.

... Respondents.

Mr. J.K. Kaushik

... Counsel for the applicant.

CORAM



Hon'ble Shri Gopal Krishna, Vice Chairman

Hon'ble Shri O.P. Sharma, Administrative Member

...

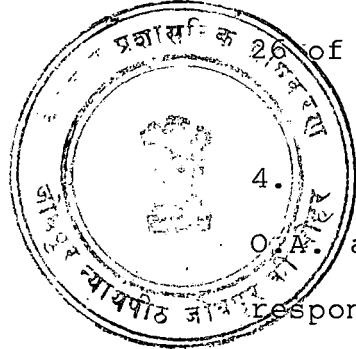
PER HON'BLE SHRI GOPAL KRISHNA :

Applicant Mani Ram Khyalia has filed this application under section 19 of the Administrative Tribunals Act, 1985, seeking direction to the respondents to treat him as classified as a Mazdoor consequent upon the cancellation of the order dated 6.2.86 vide letter dated 20.1.89 (Annexure A/6) with all consequential benefits.

2. We have heard the learned counsel for the applicant and have perused the records of the case.

3. The contentions of the applicant are that while holding the post of Peon he had applied for reclassification as a Mazdoor alongwith others and the same was allowed vide Annexure A/2 dated 22.7.85. However, the order dated 27.5.85 under which authority ~~Granted~~ the applicant was allowed reclassification was cancelled

vide letter dated 6.2.86 at Annexure A/3 by respondent No.3. The order cancelling reclassification was challenged by several persons named in the judgment of this Tribunal dated October 21, 1988 at Annexure A/5. The orders cancelling reclassification were quashed by the said judgment. The order cancelling the reclassification dated 6.2.86 was itself cancelled and therefore, the reclassification of the applicant as a Mazdoor stood revived. The applicant has urged that since the applicant stands reclassified as Mazdoor, he should be granted promotional benefits as per the promotional avenues. This matter is under consideration of the concerned authorities. The learned counsel for the applicant has drawn our attention to ~~representation~~ made by the applicant dated 3.1.95 which has been forwarded by the respondent No.5 to the respondent No.4 vide Annexure A/8 dated 14.1.95. This ~~representation~~ is at the pages 25-26 of the Paper Book.



4. In the circumstances, we dispose of this O.A. at the stage of admission with the direction to the respondent No. 4 to decide the applicant's representation dated 3.1.95 forwarded to him under letter dated 14.1.95 vide Annexure A/8 through a detailed order on merits within a period of three months of the receipt of a copy of this order. Let a copy of the O.A. and the Annexures thereto be sent to the respondent No.4 alongwith a copy of this order.

(O.P. Sharma)
Member (A)

Gopal Krishna
(Gopal Krishna)
Vice Chairman

Received copy
for
post
23.1.96
(S.K. Kaushik)
A.D.V.

Copy of OA & annexures.
Copy of order dated
18.1.96. Sent to R-1 to R-5
By Regd Post via NW 456049
Date 05-2-96

Part II and III destroyed
in my presence on 22/5/96 ✓
under the supervision of
Section Officer (J) as per
order dated 16/3/96 ✓
Section Officer (Record) ✓