

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH, JODHPUR.

* * *

Date of Decision: 13.5.97

OA 155/97

1. R.C.Srivastava, Deputy Chief Yard Master in the Office of S.S., Northern Railway, Jodhpur.
2. Aftab Ahmed, Yard Master in the office S.S., Bhagat Ki Kothi, Northern Railway, Jodhpur.
3. Suresh Tak, Yard Master in the office of S.S., Northern Railway, Jodhpur.

... Applicants

Versus

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway, Jodhpur.
3. The Divisional Personnel Officer, Northern Railway, Jodhpur.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.O.P.SHARMA, ADMINISTRATIVE MEMBER

For the Applicants

... Mr.S.K.Malik

For the Respondents

...

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicants, named above, in this application under Section 19 of the Administrative Tribunals Act, 1985, have prayed for the following reliefs :-

"i) That by an appropriate writ, order or direction, Respondent No.2 may be directed to create Special Supernumerary post of Chief Yard Master grade Rs.2375-3500 with effect from 7.8.96 and further direct Respondent No.2 to promote the senior most eligible person in Yard Master Stream on the post of Chief Yard Master grade Rs.2375-3500 with effect from 7.8.96 alongwith all consequential benefits including payment of arrears etc.

ii) Any other relief which is found just and proper in the facts and circumstances of the case may be passed in favour of the applicants in the interest of justice."

2. Heard the learned counsel for the applicants. The learned counsel for the applicants has stated that the applicants have already made a representation to the concerned authority regarding their grievance vide *Chkwr* Ann.A-7 dated 10.2.97. This representation has not been disposed of, as

stated by the learned counsel for the applicants. He wants the same to be disposed of on merits.

3. In the circumstances, the present OA is disposed of, at the stage of admission, with a direction to respondent No.2 to decide the applicants' representation, at Ann.A-7, on merits having regard to the rules and regulations on the subject within a period of two months from the date of receipt of a copy of this order. If the applicants are aggrieved by any decision taken on the representation, they may file a fresh OA. Let a copy of the OA and the annexures thereto be sent to respondent No.2 alongwith a copy of this order.

(O.P.SHARMA)

ADMINISTRATIVE MEMBER

GK
(GOPAL KRISHNA)

VICE CHAIRMAN

VK