

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH: JODHPUR

O.A. No.293/97

Date of Order: 11.8.1998

M.M.Singhvi s/o Shri Late Shri J.M. Singhvi, retired Senior Operating Manager (Planning), Jodhpur, presently residing at A-8, Sir Pratap Colony, Opposite State Insurance Corporation, Aerodrome Road, Jodhpur.

... Applicant

VERSUS

1. The Union of India through the Secretary, Ministry of Railways, Rail Bhawan, New Delhi.
2. Railway Board, Rail Bhawan, New Delhi - through its Chairman.
3. Northern Railway, Headquarters Office, Baroda House, New Delhi - through its General Manager.
4. The Divisional Railway Manager, Northern Railway, Jodhpur.

... Respondents

Mr. M.S. Singhvi, Counsel for the applicant.

Mr. S.S.Vyas, Counsel for the applicant.

CORAM:

Hon'ble Mr. A.K. Misra, Judicial Member

Hon'ble Mr. Gopal Singh, Administrative Member

O R D E R

Per Hon'ble Mr. Gopal Singh

Applicant, M.M. Singhvi, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying for a direction to the respondents to give selection grade of IRTS to the applicant on or before 1.2.1992, the date his next junior was given that benefit, with all consequential benefits. Alternatively the applicant has prayed that the respondents be

*Gopal Singh*

directed to decide the representation dated 20.2.1996 (Annex. A/3) of the applicant for grant of selection grade in IRTS.

2. Applicant's case is that he was promoted to the post of Junior Administrative Grade w.e.f. 11.11.1988 and he retired on 31.10.1993. That Shri R.N.Basu and Shri P.M. Padmanabhan, both junior to the applicant, have been given selection grade of IRTS w.e.f. 1.2.1992 and 1.7.1993 respectively. That the applicant has submitted many representation for redressal of his grievances but to no avail. The representation dated 20.2.1996 (Annex. A/3), submitted by the applicant has also not been decided. Feeling aggrieved by the inaction on the part of the respondents department, the applicant has approached this Tribunal.

3. Notices were issued to the respondents and they have filed their reply. The respondents in their reply have submitted that the representation of the applicant is under consideration and as and when a decision is taken the same will be communicated to the applicant. The respondents have further stated that till such time a decision on the question of correct date of birth is arrived at by the competent authority, the relief claimed for by the applicant cannot be considered.

4. We have heard the learned counsel for the parties and perused the records.

5. It is seen from the reply of the respondents that the applicant's case regarding grant of selection grade is still under consideration with the respondents. In the circumstances we consider it just and proper to direct the respondents to

Impartially

decide the representation of the applicant within a period of three months from the date of issue of this order and further if the applicant is found eligible for selection grade of the IRTS, all consequential benefits should be afforded to the applicant.

6. The application is accordingly disposed of with the above directions with no order as to costs.

Gopal Singh  
(Gopal Singh)  
Administrative Member

A.K. Misra  
(A.K. Misra)  
Judicial Member

Aviator/