

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH, JODHPUR.

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Date of Decision: 11.02.98

OA 34/98

Punkaj Mishra, Sr. Data Entry Operator in DRM Office, Jodhpur, Northern Railway.

... Applicant

Versus

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi.
2. Divisional Personnel Officer, Northern Railway, Jodhpur Division, Jodhpur.
3. Divisional Railway Manager, Northern Railway, Jodhpur Division, Jodhpur.
4. Shri Vishnu Dutt Sharma (OS.II, P Branch), General Punch Room Supervisor (Being Utilised), Divisional Railway Manager's Office, Jodhpur.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.GOPAL SINGH, ADMINISTRATIVE MEMBER

For the Applicant ... Mr.J.K.Kaushik

For the Respondents ...

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Punkaj Mishra, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, challenging the impugned order dated 30.9.97, by which respondent No.4 namely Shri Vishnu Dutt Sharma, was temporarily posted against the vacant post of General Punch Room Supervisor scale Rs.1600-2660 only for utilisation for a period of six months. The applicant has also sought a direction to the respondents to consider him for promotion to the aforesaid post.

2. We have heard the learned counsel for the applicant.
3. The applicant's case is that he is a Senior Data Entry Operator and the next promotional post in the feeder post of Senior Data Entry Operator in the channel of promotion is that of General Punch Room Supervisor in the scale of Rs.1600-2660. The applicant's contention is that since he has already completed two years of service on the feeder post, he has become eligible for consideration for promotion to the post of General Punch Room Supervisor in the scale of Rs.1600-2660. The grievance of the applicant is that his case for promotion was ignored and instead respondent No.4 namely Vishnu Dutt Sharma has been appointed to the aforesaid post. The appointment of respondent No.4 was made by way of a temporary arrangement for a period of six months on provisional basis. The applicant has already made representation vide Annexure A-12 dated 3.11.97 agitating his grievance before the

concerned authority.

4. In the circumstances, we dispose of this application, at the stage of admission, with a direction to respondent No.3 to decide the applicant's representation, at Annexure A-12, dated 3.11.97, on merits through a detailed speaking order in terms of rules, instructions and guidelines on the subject within a period of three months from the date of receipt of a copy of this order. If the applicant is aggrieved by any decision taken on the representation, he may file a fresh OA. Let a copy of the OA and the annexures thereto be sent to respondent No.3 alongwith a copy of this order.

Gopal Singh

(GOPAL SINGH)

ADM. MEMBER

Gopal Krishna

(GOPAL KRISHNA)

VICE CHAIRMAN

VK