

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 425 of 1993.

DATE OF DECISION 11.03.93

P.Christurajan and 12 others Applicant (s)

Mr.P.K.Madhusoodhanan Advocate for the Applicant (s)

Versus

The Divisional Railway, Respondent (s)  
Manager, Southern Railway, Trivandrum and others

Mr. Thomas Mathew Nellimootil Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. S.P. Mukerji, Vice Chairman  
and

The Hon'ble Mr. A.V.Haridasan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *Yes*
3. Whether their Lordships wish to see the fair copy of the Judgement? *Yes*
4. To be circulated to all Benches of the Tribunal? *Yes*

## JUDGEMENT

(Hon'ble Mr. S.P.Mukerji, Vice Chairman)

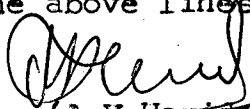
We have heard the learned counsel for both the parties on this application in which the applicants have challenged the impugned order dated 13.1.93 at Annexure A.7 granting them proforma promotion with effect from 20.7.88 for the post of ACM III/ACC IC, TVC. Their grievance is that this order does not give them promotion with effect from the dates <sup>promotion of</sup> of their juniors. ~~promotion~~ The applicants have also challenged the order dated 28.1.93 at Annexure A.8 by which the first impugned order dated 13.1.93 was cancelled. The applicants have also prayed that they should be allowed all the benefits granted and enjoyed by their juniors including promotions to higher posts with effect from earlier dates.


2. When the case was taken up for admission today it was pointed out to the learned counsel for the applicants that since the impugned order at Annexure.A7 stand cancelled by the impugned order at Annexure.A8 the applicants <sup>can</sup> have no grievance against the cancelled impugned order at Annexure.

A7. Further this Tribunal cannot go into the merits of an order issued by the respondents which has been cancelled <sup>in toto</sup> by the respondents themselves.

3. In the above light, the learned counsel for the applicants prayed that the applicants will be satisfied if their representation dated 20.3.92 at Annexure A.6 is directed to be disposed of by the respondents in accordance with law. The learned counsel for the respondents has no objection to the application being disposed of at the admission stage itself on the above lines.

4. In the circumstances, we allow the M.P. for joint application and admit this application and dispose of the same with the direction to the first respondent to dispose of the representation of the applicants dated 20.3.92 at Annexure.A6 within a period of two months from the date of communication of copy of this order. The representation shall be disposed of with a speaking order and communicated to the applicants within the aforesaid period. In case the representation in original is not readily available, a copy thereof at Annexure.A6 shall be disposed of on the above lines. There is no order as to costs.

  
(A.V. Haridasan)  
Judicial Member

  
(S.P. Mukerji)  
Vice Chairman

11.3.93