

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.425/2001

Monday, this the 21st day of May, 2001.

CORAM;

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

N.Rajagopal,
Leave Reserve Cabin Master,
Office of the Traffic Inspector,
Salem. - Applicant

By Advocate Mr TC Govindaswamy

Vs

1. Union of India represented by
the Secretary to Government of India,
Ministry of Railways,
Rail Bhavan, New Delhi.
2. The General Manager,
Southern Railway,
Head Quarters Office,
Park Town.P.O.
Chennai-3.
3. The Divisional Railway Manager,
Southern Railway,
Palghat Division,
Palghat.
4. The Senior Divisional Personnel Officer,
Southern Railway,
Palghat Division, Palghat. - Respondents

By Advocate Mrs Sumathi Dandapani

The application having been heard on 21.5.2001, the Tribunal
on the same day delivered the following:

O R D E R

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

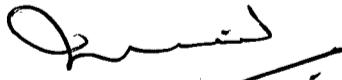
The grievance of the applicant, a Leave Reserve Cabin
Master, is that for the reason that he has crossed the upper
age limit of 40 years, he is not being considered for
participating in the Limited Departmental Competitive

Examination for the post of Goods Guard. He therefore, has filed this application challenging the orders at A-2, A-3 and A-6 and for a declaration that he is entitled to be considered for selection as Goods Guard against 15% LDCE quota. The applicant has made a representation A-8 on 2.5.2001 to the Senior DPO, Palghat requesting that he may be allowed to participate in the selection process.

2. When the application came up for hearing, learned counsel for the applicant submitted that the applicant may be permitted to make a representation to the competent authority seeking permission to appear for the examination, in relaxation of the rules, and the competent authority may be directed to consider the representation. Learned counsel for the respondents has no objection in adopting such a course.

3. In the light of what is stated above, the application is disposed of permitting the applicant to make a representation to the second respondent who is the competent authority, within a week from today and directing the second respondent to consider the representation and to give the applicant an appropriate order within a period of six weeks from the date of receipt of such representation. There will be no order as to costs.

Dated, the 21st May, 2001.


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

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LIST OF ANNEXURES REFERRED TO IN THE ORDER:

1. A-2: True copy of the Railway Board order dated 3.2.93 No.E(NG)I-90/PM2/27.
2. A-3: True copy of RBE No.123/98 dated 5.6.98 issued by the Railway Board.
3. A-8: True copy of the representation dated 2.5.2001 submitted by the applicant to 4th respondent.
4. A-6: True copy of the notification No.J/P 608/VIII/ Goods Gds./LDCE/Vol.II dated 14.3.2001 issued by the 4th respondent.