

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.492/2001

Monday, this the 11th day of June, 2001.

CORAM:

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

P.Seethikutty,  
Passenger Driver,  
Southern Railway,  
Shornur. - Applicant

By Advocate Mr MV Ibrahimkutty

Vs

1. The Senior Divisional Personnel Officer,  
Southern Railway,  
Palakkad Division.
2. The Senior Division Mechanical Engineer,  
Southern Railway,  
Palakkad.
3. The Senior Section Engineer, C & W,  
Southern Railway,  
Calicut.
4. Union of India represented by  
Secretary,  
Ministry of Railways,  
New Delhi. - Respondents

By Advocate Mr James Kurian

The application having been heard on 11.6.2001, the Tribunal on the same day delivered the following:

O R D E R

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

The applicant, at present working as Passenger Driver, Southern Railway, Shornur, had put in A-2 representation dated 5.2.2000 addressed to the third respondent while he was Goods Driver at Calicut. By that representation, he wanted the

benefit of the guidelines contained in A-1 issued by the Railway Board extended to him on promotion. Since his promotion had not taken place at that time, the authorities did not act upon it. Subsequently, when he was promoted as Passenger Driver, he was posted at Shornur with effect from 21.3.2001.

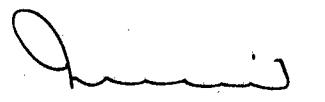
2. When the matter came up for hearing, it was pointed out by the applicant's counsel that after being posted to Shornur, he had made another representation, i.e. A-3 dated 3.5.2001 for transferring him back to Calicut, highlighting the fact that one Shri S Udaya Kumar, Passenger Driver posted at Calicut on promotion has not, in fact, joined at Calicut. Thus, there was a vacancy there. Even otherwise, it was likely that a further vacancy might arise in Calicut, according to applicant's counsel. Shri James Kurian, learned counsel appearing for the respondents has fairly accepted that the applicant's representation A-3 could be considered on merits by the first respondent and appropriate order would be passed as early as possible.

3. On a consideration of the facts and circumstances discussed above, I find it fair to direct the first respondent to consider the applicant's A-3 representation objectively and pass a speaking order within three months from the date of

receipt of copy of this order. It is ordered accordingly.

4. The application is disposed of as above. No costs.

Dated, the 11th June, 2001.



T.N.T. NAYAR  
ADMINISTRATIVE MEMBER

trs

LIST OF ANNEXURES REFERRED TO IN THE ORDER:

1. A-1: True copy of the guidelines dated 20.5.98 issued by the 1st respondent.
2. A-2: True copy of the representation filed by the applicant before the respondents dated 5.2.2001.
3. A-3: True copy of the representation filed by the applicant before the respondents 1&2 dated 3.5.2001.