

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No.
T.A. No.

51 / 1992

DATE OF DECISION 22.1.1992

V.K. Sasikumar _____ Applicant (s)

Mr. Sivan Pillai _____ Advocate for the Applicant (s)

Versus

Union of India through The Respondent (s)
General Manager, Southern Railways
Madras-3 & Others

Mrs. Sumathi Dandapani _____ Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. N.V. Krishnan, Administrative Member
And

The Hon'ble Mr. N. Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? Y
2. To be referred to the Reporter or not? no
3. Whether their Lordships wish to see the fair copy of the Judgement? W
4. To be circulated to all Benches of the Tribunal? W

JUDGEMENT

Sh NV Krishnan, A.M

The applicant is now a regular Coach Attendant working at Mangalore under the Palghat Division of the Southern Railway.

His grievance relates to the fixation of his seniority. In this regard, the respondents have issued Annexure A4 Provisional Seniority List in pursuance of the directions given by this Tribunal in OA 159/88 and OAK 95/88. The applicant was not a party to the applications disposed of earlier by the Tribunal. He is therefore, aggrieved by the provisional Seniority List at Annexure A4. Hence, he submitted a representation dated 4.8.90 at Annexure A5 to the Divisional Personnel Officer, Trivandrum, but no reply has been received from the Respondent-2 to that representation. He has therefore, filed this application seeking the following relief:

" (a) To call for the records leading to the issue of Annexure A4 and quash the same so far as it excludes the name of the applicant at the appropriate place taking into account his date of entry into AC Cadre as 11.4.86.

(b) To direct the respondents to include the applicant in A-4 at the appropriate place taking into account his date of entry into AC Cadre as 11.4.86 with all attendant benefits like promotion fixation of pay arrears of salary on par with his juniors."

2. When the application came up for admission, we enquired from the learned counsel of the applicant whether the applicant would be satisfied if a direction is given to the respondents to dispose of the Annexure A-5 representation and he answered in the affirmative. We then directed the counsel for respondents to ascertain whether such a representation is pending. Though time was given to make submissions in this behalf, the respondents have not given any reply today. Nevertheless, we are of the view that it would be possible to dispose of this representation with direction to the Respondent-2.

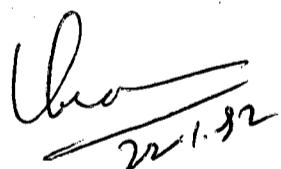
3. In the circumstance, having admitted the application, we direct the Respondent-2 to dispose of the Annexure 5 representation dated 4.8.90 addressed to him, if not already disposed of, within a period of 2 months from the date of receipt of a copy of this order in accordance with law.

4. There is no order as to costs.



(N Dharmadan)
Judicial Member

22.1.92



(N V Krishnan)
Administrative Member

22.1.1992