

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 518 OF 2011

Wednesday, this the 23rd day of November, 2011

CORAM:

HON'BLE Mr.JUSTICE P.R. RAMAN, JUDICIAL MEMBER
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

1. G. Raju, S/o. Gandadharan Pillai
Technical Gr. I (Blacksmith)
Office of the Section Engineer (Works)
Southern Railway/Kollam.
Residing at "Ganga Nivas"
Kureepuzha, Perinad (P.O), Kollam.
2. Mathew Kurian, S/o. T.M. Kurian
Technician Gr. II (Blacksmith)
Office of the Section Engineer (Works)
Southern Railway/Ernakulam Junction
Residing at Kunnitharayil House
S.R.M Road, Cochin – 682 018. ... Applicants

(By Advocate Mr.T.C. Govindaswamy)

Versus

1. Union of India represented by
The General Manager, Southern Railway
Headquarters Office, Park Town (P.O)
Chennai – 600 003.
2. The Chief Personnel Officers
Southern Railway, Headquarters Office
Park Town (P.O), Chennai – 600 003.
3. The Senior Divisional Personnel Officer
Southern Railway, Trivandrum Division
Thiruvananthapuram – 695 014. ... Respondents

(By Advocate Mr.Sunil Jacob Jose, SCGSC)

The application having been heard on 23.11.2011, the Tribunal on the same day delivered the following:

ORDER

HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

This O.A has been filed praying for a declaration that the applicants are also entitled to be considered for promotion against 15% Intermediate

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Apprentice Quota vacancies notified in Annexure A-1 and to direct the respondents to consider them also for promotion to the post of JE Gr.II/Works against vacancies notified therein and to direct further to treat them at par with those who are included in Annexure A-1 notification for all material purposes of consideration for promotion.

2. The case of the applicants is that they are similarly situated as the applicants in Annexure A-5 order passed by this Tribunal entitling them to participate in the examination notified in 2007 against which applications were submitted by them also. The Respondent Nos. 2 & 3 were directed by this Tribunal to permit the applicants also to participate in the examination pursuant to Annexure A-1 notification provisionally subject to the result of this O.A and that the result need not be declared, by the interim order dated 20.06.2011.

3. In the reply affidavit filed by the respondents, it was submitted as under:-

"3. This Hon'ble Tribunal vide order dated 20.06.2011 directed to permit the applicants also to participate in the examination pursuant to A-1, provisionally subject to the result of the OA and further ordered that the results need not be declared. In obedience to the said directions the applicants were permitted to take part in the examination. It is also submitted that the respondents have now decided to allow the applicants provisionally for selection for the post of Junior Engineer/Works in Pay Band Rs. 9300-34800 with Grade Pay Rs. 4200/-."

They also submitted a copy of letter No. P(S)608/1/5/IAQ(Works) dated 08.11.2011 at Annexure R-1 by which respondents have alerted 42 employees including the applicants for the written test to be conducted for selection for the post of JE/Works.



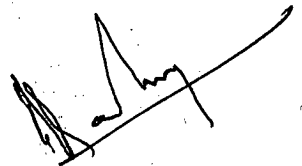
4. In view of the submission that the respondents have decided to consider the applicants also for selection to the post of Junior Engineer /Works in the Pay Band of Rs. 9300-34800/- with Grade Pay of Rs. 4200/-, the reliefs sought by the applicants have been granted. Therefore, the O.A is disposed of as infructuous. The respondents may declare the result of the examination in respect of the applicants also and take further action as per rules.

5. No order as to costs.

(Dated, the 23th November, 2011.)



K GEORGE JOSEPH
ADMINISTRATIVE MEMBER



JUSTICE P.R. RAMAN
JUDICIAL MEMBER

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