

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.558/94

Monday, this the 9th day of January, 1995.

C O R A M

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR P SURYAPRAKASAM, JUDICIAL MEMBER

....

KG Thankappan, Blacksmith,
Office of the Permanent Way Inspector,
Southern Railway, Ernakulam. South.

....Applicant

By Advocate Shri B Gopakumar.

vs.

1. Union of India represented by its General Manager, Southern Railway, Madras--3.
2. Divisional Personnel Officer, Southern Railway, Thiruvananthapuram--14.
3. Permanent Way Inspector, Southern Railway, Ernakulam South.

....Respondents

By Advocate Shri Thomas Mathew Nellimootttil.

O R D E R

PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Applicant is a Black Smith under the service of Southern Railway. He states that he joined service on 17.5.1965 as a skilled casual labourer. Initially there was some dispute about the grant of temporary status, but respondents have stated that this was resolved in January, 1992 by Department taking the entire casual labour service in the respective trade and absorbing the applicant as Black Smith along with one Shri Andy. Applicant prays that he should be appointed as Black Smith Highly Skilled Gr II with retrospective

contd.

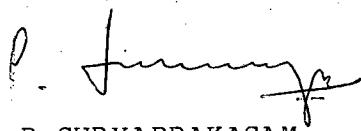
effect from 5.5.1993 and as Highly Skilled Black Smith Gr I with effect from the date on which his immediate junior who joined on 17.5.1965 or any subsequent date is appointed.

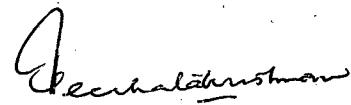
2. During the hearing, learned counsel for applicant submitted that he would be satisfied if the respondents abide by their undertaking that further promotion of applicant as Black Smith HSG I in the scale of Rs.1320-2040 will be considered in his turn. Respondents have agreed to this as stated in para 8 of the reply statement, and we record the undertaking.

3. Respondents, however, state that there are three employees senior to applicant to be promoted as Black Smith HSG I. According to applicant, this does not reflect the correct position even after the review done in January, 1992. Learned counsel for applicant submitted that applicant may be allowed to make a representation to the respondents on this aspect. We accordingly permit applicant to make a representation to the 2nd respondent within two weeks and the 2nd respondent shall pass appropriate orders on the representation within one month of its receipt.

4. Application is disposed of as above. No costs.

Dated the 9th January, 1995.


P. SURYAPRAKASAM
JUDICIAL MEMBER


P. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER