

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.598/97

Wednesday, this the 13th day of October, 1999.

CORAM:

HON'BLE MR A.M.SIVADAS, JUDICIAL MEMBER

HON'BLE MR G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

Anilkumar Chandel,
Head Station Clerk,
Station Managers Office,
Southern Railway,
Erode.

- Applicant

By Advocate Mr TC Govindaswamy

Vs

1. Union of India through
the General Manager,
Southern Railway,
Park Town.P.O.
Madras-3.
2. The Chief Personnel Officer,
Southern Railway,
Headquarters Office,
Park Town.P.O.
Madras-3.
3. The Divisional Railway Manager,
Southern Railway,
Divisional Office,
Palghat.
4. The Divisional Personnel Officer,
Southern Railway,
Palghat Division,
Palghat.
5. M.Rajarathinam,
Office Superintendent,
Operating Branch,
Southern Railway,
Divisional Office,
Palghat.
6. Senior Personnel Officer
(Reservation),
Southern Railway,
Headquarters Office,
Park Town.P.O.
Madras-3.

- Respondents

7. The Railway Board
Ministry of Railways,
New Delhi through its Chairman. - Respondents

By Advocate Mr PA Mohammed for R.1 to 4, 6 and 7

The application having been heard on 13.10.99, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.M.SIVADAS, JUDICIAL MEMBER

The applicant seeks the following reliefs:

"(a) Declare that the inclusion of the fifth respondent in the list of candidates appearing for viva-voce is arbitrary, discriminatory, illegal and unconstitutional.

(b) Declare that the inclusion of the fifth respondent in A-1 panel in preference to the applicant is arbitrary, discriminatory and unconstitutional.

(c) Call for the records leading to the issue of A-2 and A-12 and quash the same.

(d) Call for the records leading to the issue of A-11 and quash the same to the extent it includes the fifth respondent and excludes the applicant.

(e) Direct the respondents to include the applicant in A-1 panel and to grant him the consequential benefits of promotion as Office Superintendent Grade.II in scale Rs.1600-2660 from the date of such promotion of the fifth respondent."

2. It is agreed by the learned counsel on both sides that the applicant may be permitted to submit a comprehensive representation to the supplemental 7th respondent for ~~xxx~~ redressal of the grievances of the applicant directing the supplemental 7th respondent to consider and pass appropriate orders on the representation considering all the relevant provisions within a reasonable time.

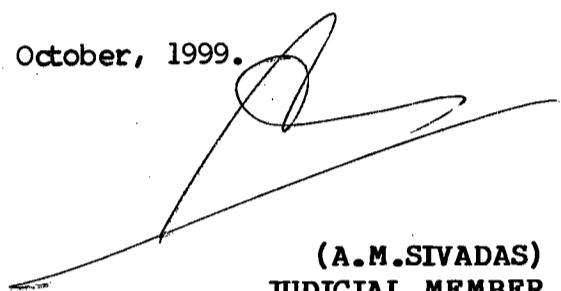
3. Accordingly the applicant is permitted to submit a comprehensive representation to the supplemental 7th respondent through proper channel within four weeks from today. If such a representation is received, the supplemental 7th respondent shall consider the same in accordance with the provisions concerned and pass appropriate orders within four months from the date of receipt of the representation.

4. The O.A. is disposed of as above. No costs.

Dated, the 13th of October, 1999.



(G. RAMAKRISHNAN)
ADMINISTRATIVE MEMBER



(A.M. SIVADAS)
JUDICIAL MEMBER

trs/131099

List of Annexures referred to in the Order:

1. A-1: True copy of the letter No.J/P.608/VIII/Vol.I/Optg. dated 20.12.96 issued by the 4th respondent.
2. A-2: True copy of the letter No.J.P.608/VIII/Vol.I/Optg. dated 31.1.97/6.2.97 issued by the 4th respondent.
3. A-11: True copy of the appeal dated 1.3.97 submitted by the applicant to the 2nd respondent.
4. A-12: True copy of the letter No.P(S)171/33/Rep./Pgt dated 27.2.97 issued by the 6th respondent.