

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.606/94

Monday, this the 6th day of February, 1995

C O R A M

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR P SURYAPRAKASAM, JUDICIAL MEMBER

....

1. PB Abdul Rahim, Enquiry Cum Reservation Clerk, Reservation Office, Kozhikode Railway Station, Kozhikode.
2. PM Gangadaran, Enquiry cum Reservation Clerk, Reservation Office, Kozhokode Railway Station, Kozhikode.

....Applicants

By Advocate Shri VK Ravindran.

vs.

1. The Chief Personnel Officer, Southern Railway, Personnel Branch, Park Town, Madras--600 003.
2. The Divisional Personnel Officer, Southern Railway, Palghat Division, Palghat.
3. The Railway Board represented by its Secretary, New Delhi.
4. Union of India represented by the Secretary, Ministry of Railways, New Delhi.

....Respondents

By Advocate Shri Mathews J Nedumpara.

O R D E R

PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Applicants are working as Enquiry Cum Reservation Clerks in the Southern Railway. Their grievance is that certain persons who were selected and empanelled following the written test and viva voce against vacancies that existed in or before 1992 were actually promoted against restructured vacancies which were vacancies existing on 1.3.93 meant to be filled up as a one-time measure without resorting to a written test and viva voce, but only on the basis of service records. In the case of first applicant,

contd.

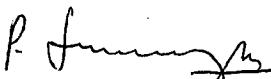
if the correct procedure has been followed of allotting restructuring vacancies only to those who were not empanelled for earlier vacancies, he would have got a higher seniority and the case of second applicant, he would have been selected for promotion against a restructured vacancy.

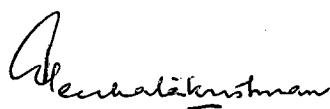
2. Applicants challenge the promotion of 12 persons who were selected under the earlier procedure but were promoted against the restructured vacancies. These persons are not impleaded as respondents. We also find that applicants have not taken their grievances to the respondents in the first instance. Under the circumstances, we permit applicants to make a representation to the ~~second~~ ^{first} respondent within fifteen days. If such a representation is made, ~~second~~ ^{first} respondent will consider it and pass appropriate orders within two months from the date of receipt of the said representation.

corrections made vide order in MA 264/95 dt.8.3.95.

3. Application is disposed of accordingly. No costs.

Dated the 6th February, 1995.


P SURYAPRAKASAM
JUDICIAL MEMBER


P VENKATAKRISHNAN
ADMINISTRATIVE MEMBER