

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.607/97

Friday, this the 30th day of May, 1997.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

M Sunny,
Catering Inspector,
Trivandrum Gauhati Express
Batch No.1, Southern Railway,
Thiruvananthapuram. - Applicant

By Advocate Mr PK Madhusoodhanan

Vs

1. The Chief Personnel Officer,
Southern Railway, Park Town,
Madras-600 003.
2. The Chief Commercial Manager,
Southern Railway, Park Town,
Madras-600 003.
3. Union of India represented by the
General Manager, Southern Railway,
Park Town, Madras-600 003. - Respondents

By Advocate Mrs Sumathi Dandapani

The application having been heard on 30.5.97 the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

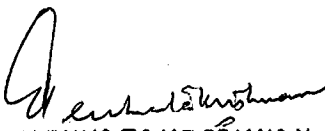
The applicant who is a Catering Inspector Grade-II,
Southern Railway, Trivandrum was by order dated 28.3.96,
promoted as Catering Inspector Grade-I and posted in Mysore.
He on account of personal problems, declined the promotion
and therefore the impugned order dated 23.7.96(A-4) was

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issued debarring him for promotion for a period of one year from 3.7.96 onwards. It is this order which is under challenge. When the application came up for hearing today, learned counsel for respondents states that there has been a mistake and that the applicant could be legally debarred from promotion for a period of one year only from 28.3.96. The respondents state that the impugned order may be to that extent set aside and the applicant would be considered for promotion for vacancies arising on or after 28.3.97. Learned counsel for applicant states that the applicant has no more grievance if he would be considered for promotion against the vacancy arising on and after 27.3.97.

2. In view of the above submission made by the learned counsel on either side, we dispose of this application directing the respondents to treat that the period of debarring the applicant from promotion was only upto 27.3.97 and to consider the applicant for promotion towards vacancies arising on and after 28.3.97. No costs.

Dated, the 30th May, 1997.


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


AV HARIDASAN
VICE CHAIRMAN

trs/305

LIST OF ANNEXURE

Annexure A-4 : True copy of the office order No.P(RR)59/96
dated 23-7-96 issued by the 1st respondent.

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