

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.615/2001

Thursday this the 18th day of July, 2002

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

M.Kumaran, Technician Gr.I
Electrical Diesel Loco Shed,
Southern Railway, Erode.

...Applicant

(By Advocate Mr.Siby J Monipally)

V.

1. Chief Personnel Officer,
Southern Railway, Park Town
Chennai.
2. Senior Divisional Personnal
Officer, Southern Railway,
Palghat.
3. A.Elango, Technician Gr.I
Diesel Loco Shed, Erode.
4. NV.Joseph, Technician Gr.I
Diesel Loco Shed,
Ernakulam.

...Respondents

(By Advocate Mr.Thomas Mathew Nellimootil)

The application having been heard on 18.7.2002, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant, who is working as Technician Gr.I,
Electrcical Diesel Loco Shed, Erode has filed this
application seeking to quash A2 order by which seven
persons including the respondents 3 and 4 were alerted for
appearing in the suitability test for the post of
Sr.Technician/Diesel Mechanic and Electric of the Erode
Diesel shed. It is alleged that the respondents 3 and 4
are junior to the applicant and overlooking the claim of

contd....

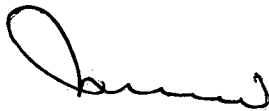
the applicant for appearance in the suitability test is unjustified. The applicant has also prayed for a direction to the respondents 1 & 2 to invite the applicant for the suitability test and to promote him.

2.. Respondents have filed a reply xxxx statement opposing the claim of the applicant. However, in the meanwhile the applicant was also called for the suitability test which he successfully underwent.

3. When the matter has come up for further directions, learned counsel on either side state that the application may be now disposed of since the applicant has cleared the suitability test and is the next seniormost person to be promoted as Senior Technician. Counsel of the applicant states that the remaining prayers in the application is not pressed.

4. In the light of the submission of the learned counsel on either side and the subsequent developments after filing of this application that the applicant has been cleared in the suitability test and stands as next person to be promoted, we disposed of this application directing the respondents 1&2 to consider the promotion of the applicant as Senior Technician (Diesel/Electrical) on the next arising vacancy. No costs.

Dated the 18th day of July, 2002



T.N.T. NAYAR
ADMINISTRATIVE MEMBER

(s)



A.V. HARIDASAN
VICE CHAIRMAN

A P P E N D I X

Applicant's Annexures:

1. A-1: True copy of seniority list of Technician Grade I (Diesel Fitter) Electrical of all sheds in Southern Railway as on 1.11.1994.
2. A-2: True copy of impugned order No.3/P 535/V/DSL dated 18.6.01 issued by Chief Personnel Officer, Palghat Division, Palghat.
3. A-3: True copy of representation dated 29.6.01 made by applicant, to Chief Personnel Officer, Southern Railway, Palghat.
4. A-4: True copy of the order issued by the Railway Board dated 8.8.2000.
5. A-5: Photostat copy of the order No.J/P 535/V/DSL(M) dated 28.5.2002.
6. A-6: Photostat copy of the order No.J/DSL/46/2002.
7. A-7: Photostat copy of the relevant page of the seniority list dated 13/29.8.2001.
8. A-8: Photostat copy of the representation dated 5.9.2001.

Respondents Annexure:

1. R-1: True copy of L-shaped roster.

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24.7.02