

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.148/06

Monday this the 13th day of March 2006

C O R A M :

**HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN
HON'BLE MR.GEORGE PARACKEN, JUDICIAL MEMBER**

P.Ramaraj,
Helper I/Electrical/Train Lighting,
Southern Railway, Trivandrum.

...Applicant

(By Advocate Mr.P.K.Madhusoodhanan)

Versus

1. Senior Divisional Personnel Officer,
Southern Railway, Trivandrum – 14.
2. The Chief Personnel Officer,
Southern Railway, Park Town, Chennai – 3.
3. Union of India represented by the General Manager,
Southern Railway, Park Town, Madras.

...Respondents

(By Advocate Mr.K.M.Anthru)

This application having been heard on 13th March 2006 the Tribunal on the same day delivered the following :

ORDER

HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN

The applicant is now working as Helper I/Electrical Train Lighting, Trivandrum. His educational qualification is 7th standard. He is aggrieved by his non consideration to the Group D post of Helper Grade II (AC) for which his request was turned down earlier in 1998 on the ground that he has not passed S.S.L.C. He had then approached the Tribunal in O.A.1418/98 and also High Court in O.P.27658/01. The Hon'ble High Court disposed of the case stating that if the petitioner has got any grievances he may make suitable representation before the administration.

.2.

Accordingly, he submitted representation which was rejected by order at Annexure A-3 by the Senior Divisional Personnel Officer. The applicant now contends that according to Para 114 of the I.R.E.M. General Manager is competent authority to consider relaxation of rules and therefore he had submitted Annexure A-4 representation which is still pending consideration. Meanwhile, respondents have again called for applications vide Annexure A-5 for filling up Group D vacancies and when he approached the respondents they refused to accept the application stating that he is not qualified. Counsel submitted that similar cases of employees who did not have the minimum educational qualification, have been considered and their names have been mentioned in the representation and prayed that a direction be given to the 3rd respondent to consider and dispose of Annexure A-4 representation within a time frame.

2. Accordingly, in the interest of justice, we direct the 3rd respondent to consider and dispose of Annexure A-4 representation of the applicant within a period of two weeks from the date of receipt of a copy of this order and in any case earlier to the holding of the test. O.A is disposed of accordingly at the admission stage. No order as to costs.

(Dated the 13th day of March 2006)


GEORGE PARACKEN
JUDICIAL MEMBER


SATHI NAIR
VICE CHAIRMAN

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