

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH
O.A.No.150/2005.**

Friday this the 1st day of April, 2005.

CORAM:

**HON'BLE MR. K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. H.P.DAS, ADMINISTRATIVE MEMBER**

K.P.Balakrishna Panicker,
working as Station Master/III,
Southern Railway, Ernakulam Jn.
Residing at Rly.Quarters No.112-C,
Ernakulam Junction.

Applicant

(By Advocate Shri M.P.Varkey)

Vs.

1. Union of India, represented by
General Manager, Southern Railway,
Chennai-600003.
2. Chief Personnel Officer,
Southern Railway, Chennai-600003.
3. Senior Divisional Personnel Officer,
Southern Railway, Trivandrum-695014.

Respondents

(By Advocate Shri K.M.Anthru)

The application having been heard on 1.4.2005
the Tribunal on the same day delivered the following:

O R D E R (Oral)

HON'BLE MR. K.V.SACHIDANANDAN, JUDICIAL MEMBER

The applicant was appointed as Assistant Station Master in Trivandrum Division on 4.6.1990. Consequent on inter-divisional request transfer, one Mr.John Joseph, who is junior to the applicant joined on 11.7.1991. Shri John Joseph was promoted to the grade of Station Master Grade III on 23.9.1991, but the applicant was promoted only on 25.11.1995. Some of the Station Masters who are aggrieved by the promotion and seniority of Shri John Joseph, have filed O.A.691/99 and the same was allowed. Consequently a revised seniority list was published restoring the original seniority of the applicant and similar others. The said seniority list was not communicated to the applicant and he came across the said revised seniority list only in June 2004. He has



made a representation dated 8.6.2004 (A2) which was not responded to. Again he has made another representation (A3) dated 28.9.2004 which was also not yet responded to. Aggrieved by the inaction on the part of the respondents the applicant has filed this O.A. seeking the following main reliefs:

- a) declare that the applicant is entitled to be promoted to the present grade with effect from 23.9.1991 on par with his junior John Joseph with all consequential benefits and direct the respondents accordingly.
- b) or in the alternative, direct the 2nd respondent to dispose of A-3 representation by a speaking order within a time frame.

2. When the matter came up before the Bench, Shri M.P.Varkey, learned counsel appeared for the applicant and Shri K.M. Anthru, learned counsel appeared for the respondents.

3. Learned counsel for the applicant submitted that the applicant would be satisfied, if a limited direction is given to the 2nd respondent to consider and dispose of A-3 representation and pass appropriate orders within a time frame.

4. Counsel for respondents submitted that he has no objection in adopting such a course of action.

5. In the interests of justice, we direct the 2nd respondent to consider and dispose of A-3 representation made by the applicant and pass appropriate orders within a period of three months from the date of receipt of a copy of this order .

6. O.A. is disposed of at the admission stage itself. In the circumstance no order as to costs.

Dated the 1st April 2005.

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H.P.DAS
ADMINISTRATIVE MEMBER

K.V.SACHIDANANDAN
JUDICIAL MEMBER