

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 153 of 1999

Tuesday, this the 19th day of June, 2001

CORAM

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER
HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

1. A. Palani Swamy,
Chief Booking Clerk,
Southern Railway,
Erode Junction, Erode - 638002Applicant

[By Advocate Mr. K. Balakrishnan (rep.)]

Versus

1. Union of India, represented by
Secretary, Railway Board,
New Delhi.
2. General Manager,
Southern Railway, Madras-3
3. Divisional Railway Manager,
Southern Railway, Palakkad-2
4. Senior Divisional Personnel Officer,
Southern Railway, Palakkad-2
5. Chacko Joseph,
Chief Goods Supervisor, Palakkad town,
C/o. Senior Divisional Personnel Officer,
Southern Railway, Palakkad-2
6. P. Prabhakaran,
Chief Goods Supervisor,
Madikkara Cement Siding,
C/o. Senior Divisional Personnel Officer,
Southern Railway, Palakkad-2
7. P. Ganesan,
Chief Goods Supervisor, Sankari Durg,
C/o. Senior Divisional Personnel Officer,
Southern Railway, Palakkad-2
8. M.V. Mohandas,
Chief Goods Supervisor, Coimbatore North,
C/o. Senior Divisional Personnel Officer,
Southern Railway, Palakkad-2
9. K. Sukumaran,
Chief Goods Supervisor, Salem Junction,
C/o. Senior Divisional Personnel Officer,
Southern Railway, Palakkad-2

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10. K.V. Pramod Kumar,
Chief Parcel Supervisor, Tirur
C/o. Senior Divisional Personnel Officer,
Southern Railway, Palakkad-2
 11. K. Palani,
Chief Goods Supervisor, Mettoor Dam,
C/o. Senior Divisional Personnel Officer,
Southern Railway, Palakkad-2
 12. A. Jeeva,
Chief Booking Supervisor,
Coimbatore Junction,
C/o. Senior Divisional Personnel Officer,
Southern Railway, Palakkad-2
-Respondents

[By Advocate Mrs Sumathi Dandapani (R1 to R4)]
[By Advocate Mr. M.K. Chandramohan Das (R6, R11 & R12)]

The application having been heard on 19-6-2001, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

The applicant seeks to quash A6 and to direct respondents 1 to 4 to review all promotions given after 24-2-1984 to respondents No.5 onwards, refix their seniority vis-a-vis the applicant and thereafter order promotion to the post of Commercial Supervisor basing on the revised seniority.


2. After having argued the matter for sometime by learned counsel on both sides, the learned counsel appearing for the official respondents submitted that the matter is to be looked into afresh in the light of the latest rulings of the Apex Court and in the light of the instructions issued by the department on the subject and if the applicant makes a representation, the department will consider the same and pass appropriate orders. The learned counsel appearing for the applicant submitted that the applicant is satisfied if the applicant is permitted to submit a representation to the 3rd respondent and the 3rd respondent is directed to consider the same and pass appropriate orders within a time frame.

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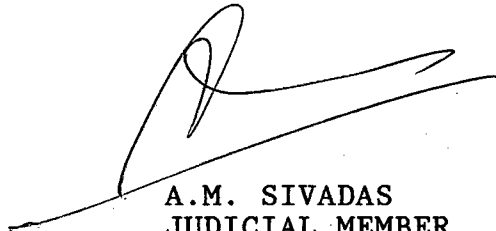
3. Accordingly, the applicant is permitted to submit a representation to the 3rd respondent through proper channel within one month from today. If such a representation is received, the 3rd respondent shall consider the same in the light of the latest pronouncements of the Apex Court on the subject and other relevant departmental instructions and pass appropriate orders within four months from the date of receipt of the representation.

4. The Original Application is disposed of as above. No costs.

Tuesday, this the 19th day of June, 2001



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.M. SIVADAS
JUDICIAL MEMBER

ak.

List of Annexure referred to in this order:

1. A6 True copy of the Order No. J/P.535/11/13/Vol.10 dated 23-12-1998 (O.O. No. J/C.75/98) issued by the 4th respondent.