

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.169/99

Wednesday, this the 10th day of February, 1999.

CORAM:

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

K.Chamiar,  
S/o G Kunchan,  
Head Clerk, Personnel Branch,  
Southern Railway,  
Palghat. - Applicant

By Advocate Mr TC Govindaswamy

Vs

1. Union of India represented by  
The Secretary to the Government of India,  
Ministry of Railways,  
Rail Bhavan, New Delhi.
2. The Divisional Railway Manager,  
Southern Railway,  
Palghat Division, Palghat..
3. The Divisional Personnel Officer,  
Southern Railway,  
Palghat Division, Palghat.
4. The Chief Personnel Officer,  
Southern Railway,  
Headquarters Office,  
Park Town.P.O.  
Madras-3.
5. Annamma Philip,  
Head Clerk, Personnel Branch,  
Southern Railway,  
Palghat Divisional Office,  
Palghat.
6. E Easwaran,  
Head Clerk, Office of the  
Chief Crew Controller,  
Southern Railway,  
Erode.
7. The General Manager,  
Southern Railway,  
Headquarters Office,  
Park Town.P.O.  
Madras-3. - Respondents

By Advocate Mrs Sumathi Dandapani(for R.1 to 4 and 7)

The application having been heard on 10.2.99, the Tribunal on the same day delivered the following:

O R D E R

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

The applicant presently working as Head Clerk, Personnel Branch in the Southern Railway, Palghat and a member of Scheduled Caste Community, is aggrieved by non-inclusion of his name in the select panel for appointment to the post of Office Superintendent Grade.II A-3. His case is that Sl.No.5 T.K.Sivadasan as belonging to Scheduled Caste Community, has come on his own merit. There were three reserved vacancies and only two persons having been placed in the panel against the reserved vacancy, the respondents have gone wrong in not considering the applicant for placing against the 3rd reserved vacancy. Therefore the applicant has filed this application to have the A-3 panel set aside to the extent it excludes him and includes 5th and 6th respondents and for a direction to include the applicant in A-3 panel at an appropriate place.

2. When the application came up for hearing, it was agreed by the learned counsel for the applicant and respondents 1 to 4&7 that the applicant may be permitted to make a representation against the A-3 panel to the General Manager(7th respondent) and the application may be disposed of directing the 7th respondent to consider the representation in accordance with law and to give the applicant an appropriate order within a reasonable time.

3. In the light of the above submission made by the learned counsel for the applicant and respondents 1 to 4&7 and as agreed to by them, the application is disposed of permitting the applicant to

make a representation to the 7th respondent within two weeks from today and directing the 7th respondent to consider the representation or to have it considered by the competent authority in accordance with the rules and instructions on the subject and to give the applicant an appropriate order within a period of three months from the date of receipt of the representation. No costs.

Dated, the 10th February, 1999.



(A.V. HARIDASAN)  
VICE CHAIRMAN

trs/11299

LIST OF ANNEXURE

1. Annexure A3: True copy of the Memorandum No.J/P.608/VI/Misc/Vol.IV dated 29.1.1999 issued by the third respondent,

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