

CENTRAL ADMINISTRATIVE MEMBER
ERNAKULAM BENCH

OA 198/99

Friday the 19th day of February 1999.

CORAM

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

P.S.Easwaran
Salaried Commission Bearer
Kerala Express Batch No,V
Divisional Commercial Manager (Catering)
Southern Railway
Thiruvananthapuram.

...Applicant

(By advocate Mr P.K.Madhusoodanan)

Versus

1. The Senior Commercial Manager, Catering Department, Head Quarters Office, Southern Railway, Park Town, Madras - 3.
2. The Chief Personnel Officer Southern Railway Park Town, Madras-3.
3. Union of India represented by its General Manager Southern Railway, Park Town, Madras-3. ...Respondents

(By advocate Mr K.V.Sachidanandan)

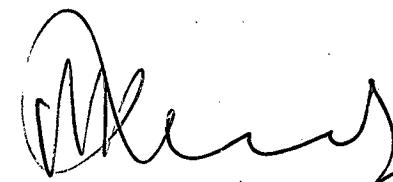
The application having been heard on 19.2.99, the Tribunal on the same day delivered the following:

O R D E R

Applicant who commenced service as Commission Vender in the Trivandrum Division of the Southern Railway was later treated as Salaried Commission Bearer from 1983 onwards. His name has been included at Sl.No. 142 in the list of volunteers who applied for filling up of Group 'D' posts in scale of Rs. 750-940 in Train Lighting/Power and A.C.Wing of Electrical Department. His grievance is that while persons who were lower down in the list have already been absorbed as Group-D staff, the respondents have not considered his case for such absorption despite representation made by him on 21.9.98 (Annexure A-2). Therefore, the applicant has filed this application for a direction to the respondents to consider and pass orders on his representation A-2, taking into account the fact that juniors at Sl.Nos. 284, 285, 344, 346, 350 and 352 have already been regularised on Group-D posts.

2. When the application came up for hearing today, counsel on either side agreed that the application may be disposed of with a direction to the first respondent to consider the representation submitted by the applicant (A-2) taking into account the fact that persons who are lower down in the list A-1 have already been absorbed on Group-D posts and to give the applicant an appropriate order within two months.
3. In the light of what is stated and as agreed to by the learned counsel on either side, the application is disposed of directing the first respondent to consider the representation A-2 submitted by the applicant taking into account the fact that persons whose names figure lower down than the applicant in the list of volunteers who applied for filling up the posts of Group-D have already been absorbed on Group-D, and to give the applicant a reasoned order within a period of two months from the date of receipt of a copy of this order. There is no order as to costs.

Dated 19th February 1999.



(A.V. HARIDASAN)
VICE CHAIRMAN

aa.

LIST OF ANNEXURES

1. Annexure A1: True relevant extract of the list prepared by the 2nd respondent of the volunteers applied for filling up the Group 'D' posts in the Train Lighting/power and A.C.Wing as per their eligibility and seniority.
2. Annexure A2: True copy of representation dated 21.9.98 submitted by the applicant to the first respondent.

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