

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 237/2003

Tuesday, this the 25th day of March, 2003.

CORAM :

HON'BLE SHRI T.N.T. NAYAR, ADMINISTRATIVE MEMBER
HON'BLE SHRI K.V. SACHIDANANDAN, JUDICIAL MEMBER

C. Jesu Paneer Selvam,
S/o D. Cruz Antony,
Clerk(Personnel Branch),
O/o the Section Engineer
(Permanent Way), Southern Railway,
Nagarcoil Junction, Nagarcoil,
residing at 47, Eastaff Street,
Nagarcoil, Pin : 629002.

... Applicant

(By Advocate Mr. Asok M. Cherian)

Vs

1. Senior Divisional Personnel Officer,
Divisional Office, Personnel Branch,
Southern Railway, Thiruvananthapuram.
2. The Chief Personnel Officer,
Southern Railway,
Madras.
3. The General Manager,
Southern Railway,
Chennai.
4. The Union of India rep. by the
Secretary to the Ministry of Railways,
Government of India,
New Delhi.

... Respondents

(By Mr. P. Haridas)

The application having been heard on 25.3.2003, the Tribunal, on the same day delivered the following :

ORDER

HON'BLE SHRI T.N.T. NAYAR, ADMINISTRATIVE MEMBER

The applicant who is working as Clerk in the office of the 1st respondent, the Senior Divisional Personnel Officer, Divisional Office, Personnel Branch, Southern Railway, Thiruvananthapuram claims to have passed MSTC Examination with 78% marks and thereafter claims to have attended different training courses and acquired very high marks in all the examinations conducted in connection with the departmental training courses. He appeared for the selection for the post of Welfare Inspector Grade III in the scale of Rs.5000-8000/- in

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response to Annexure A3 notice dated 30.7.2002. According to the applicant, he has performed very well in the written test and surprised to see that he has not been called for viva-voce. Accordingly, he has made a representation Annexure A4 dated 23.12.2002 addressed to the 3rd respondent and routed through proper channel. So far he has not received any communication in reply to thereof. Therefore applicant has filed this OA for the following reliefs :-

- (1) Direct the 3rd respondent to consider the Annexure A4 representation and revalue the answer sheet of the applicant.
- (2) Issue any other orders, declaration or direction appropriate in the circumstances of the case.

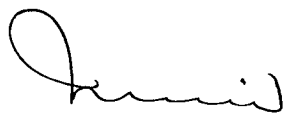
2. Shri P. Haridas, the Standing Counsel for the Railways took notice on behalf of respondents initially sought time to get instructions in the matter. However, when it was pointed by the counsel for the applicant that the respondents might be directed to examine the records and verify the answer books and thereafter dispose of the representation Annexure A4 giving the applicant an appropriate reply, the learned counsel for the respondents would agree that such a course might be taken and the respondents might be directed to dispose of the Annexure A4 representation.

3. On the basis of the statements made by the counsel on either side, we dispose of this application directing the 3rd respondent to cause the applicant's Annexure A4 representation to be considered with reference to the records and answer books and the same be disposed of by giving an appropriate reply to the applicant within a period of two months from the date of receipt of a copy of this order. No costs.

Dated 25th March, 2003.


K.V. SACHIDANANDAN
JUDICIAL MEMBER

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T.N.T. NAYAR
ADMINISTRATIVE MEMBER