

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.248/2000

Friday this the 25th day of August, 2000

CORAM.

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

E.C.Galway, S/o J.Galway,
Crane Driver Gr.I
O/o Senior Section Engineer,
Carriage and Wagon, Southern Railway,
Erode, residing at
307/A, Railway Quarters,
Railway Colony, Erode.

...Applicant

(By Advocate Mr. TC Govindaswamy)

V.

1. Union of India represented by the
Secretary to Government of India,
Ministry of Railways, Rail Bhavan,
New Delhi.
2. The General Manager,
Southern Railway, Headquarters
Office, Park Town PO,
Madras.3.
3. The Chief Mechanical Engineer,
Southern Railway,
Headquarters Office,
Park Town PO, Madras.3.
4. The Senior Divisional Personnel Officer,
Southern Railway,
Palghat Division,
Palghat.
5. The Financial Advisor and Chief
Accounts Officer,
Southern Railway,
Headquarters Office,
Park Town PO, Madras.3.

...Respondents

(By Advocate Mr. KV Sachidanandan (rep.))

The application having been heard on 25.8.2000, the
Tribunal on the same day delivered the following:

O R D E R

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

The applicant who is working as Crane Driver
Gr.I in the Office of the Senior Section Engineer,
Carriage and Wagon, Southern Railway, Erode has filed

contd....

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this application for a declaration that the non-feasance on the part of the respondents to upgrade the post of 140 Tonnes Diesel Powered Heavy Duty Hydraulic Break Down Crane Driver, operated at Erode and ^{not} to grant fitment to the applicant in the said grade is arbitrary, discriminatory, contrary to law and unconstitutional and to direct the respondents to upgrade the post of 140 Tonnes Diesel Powered Heavy Duty Hydraulic Break Down Crane Driver at Erode, duly fitting the applicant in the said grade and to grant all consequential benefits thereof, within a time limit. It has been alleged in the application that by order dated 28.4.99 the Railway Board has decided that the Southern Railway should upgrade the 140 Tonnes Diesel Powered Heavy Duty Hydraulic Break Down Crane Drivers post by making local adjustments or utilising some steam surplus posts. The Southern Railway has not implemented this decision to the detriment of the applicant.

2. In the reply statement filed by the counsel on behalf of the respondents it has been stated in paragraph 5 that a proposal has been sent to the Chief Mechanical Engineer, Madras for creation of one post of Crane Driver in the scale Rs.5000-8000 which is still pending consideration at the Headquarters.

3. In the result without going into the merits of the case, the application is disposed of directing the second respondent to see that a decision on the proposal for creation of one post of Crane Driver in the grade Rs.5000-8000 be taken as expeditiously as
contd...

.3.

possible and if it is in the positive, the same should be implemented within a period of four months' from the date of receipt of a copy of this order. There is no order as to costs.

Dated the 25th day of August, 2000



A.V. HARIDASAN
VICE CHAIRMAN

s.