

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.26/04

Monday this the 12th day of January 2004

C O R A M :

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR.H.P.DAS, ADMINISTRATIVE MEMBER

R.Vasu
S/o.I.Raman,
Ticket Collector,
Southern Railway,
Coimbatore Jn.

Applicant

(By Advocate Mr.T.C.Govindaswamy)

Versus

1. Union of India represented by
the General Manager,
Southern Railway, Park Town P.O.,
Chennai - 3.
2. The Senior Divisional Commercial Manager,
Southern Railway, Palghat Division,
Palghat.
3. The Divisional Commercial Manager,
Palghat Division, Palghat.
4. The Senior Divisional Personnel Officer,
Southern Railway, Palghat Division,
Palghat.

Respondents

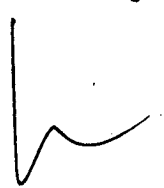
(By Advocate Mr.P.Haridas)

This application having been heard on 12th January 2004
the Tribunal on the same day delivered the following :

O R D E R

HON'BLE MR. K.V.SACHIDANANDAN, JUDICIAL MEMBER

It is averred in the O.A. that the applicant absorbed as a Gangman of the Civil Engineering Department in 1972 was transferred to the Traffic (Commercial) Department of the Railways as a Platform Porter, from which post he was promoted as a Corridor Coach Attendant (CCA). He was further promoted to the Group C post of Ticket Collector in scale Rs.3050-4590/- by the Senior Divisional Personnel Officer. But Annexure A-1 order reducing him to lowest grade i.e. his parent cadre as Gangman in

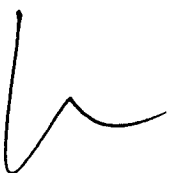


grade Rs.2650-4000/- in pay Rs.2650/-he will have the effect of remaining his seniority and service in the grade of Gangman only, the applicant contended that this penalty is against the Rules and Regulations which governs the subject and the authority has passed this without jurisdiction. Therefore, the applicant has filed this application for the following reliefs :

- a. call for the records leading to the issue of Annexure A-1 and quash the same,
- b. award costs of and incidental to this application,
- c. pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case.

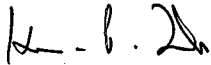
2. When the case came up for hearing, Shri. T.C.Govindaswamy appeared for the applicant and Shri.P.Haridas took notice on behalf of the respondents. Learned counsel for the applicant submitted that he made representation/appeal Annexure A-3 dated 26.12.03 and Annexure A-4 dated 29.12.03 to the concerned authority and submitted that he will be satisfied if this Court dispose of the O.A. by giving a direction to the 2nd respondent to dispose of the said representation/appeal within a time frame. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.

3. Based on the submissions made by the learned counsel, we are of the considered view that such a recourse will meet the end of justice. Therefore, we direct the 2nd respondent to consider and dispose of Annexures A-3 and A-4 representation/appeal within two months from the date of receipt of a copy of this order. In the interest of justice, we also direct that the impugned order Annexure A-1 will be kept in abeyance till the disposal of such representation/appeal.

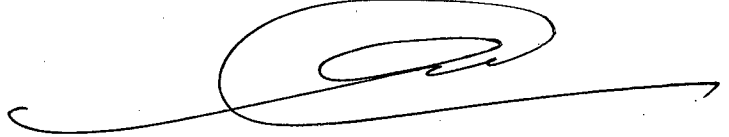


4. With the above observations the O.A. is disposed of on admission stage itself. No costs.

(Dated the 12th day of January 2004)



H.P.DAS
ADMINISTRATIVE MEMBER



K.V.SACHIDANANDAN
JUDICIAL MEMBER

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