

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.33/2002.

Monday this the 11th day of February 2002.

CORAM:

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER

1. B.Ramani Bai, Typist (Ad hoc),
Office of the Executive Engineer
(Construction), Southern Railway,
Podanur.
2. M.Maharajan, Workmate (Ad hoc),
Office of the Executive Engineer
(Construction), Southern Railway,
Podanur.
3. Mohammed Ismail, Lascar,
Office of the Executive Engineer
(Construction), Southern Railway,
Podanur.
4. D.Senthilvel Raj,
Store Chaser (Ad hoc),
Office of the Deputy Chief Engineer
(Construction), Southern Railway,
Salem. Applicants

(By Advocate M/s Santhosh & Rajan)

Vs.

1. Union of India, represented by
the General Manager, Southern Railway,
Chennai-3.
2. The Executive Engineer, (Construction)
Southern Railway, Podanur.
3. The Deputy Chief Engineer (Construction)
Southern Railway, Salem.
4. The Senior Divisional Personnel Officer,
Southern Railway, Palakkad. Respondents

(By Advocate Shri Thomas Mathew Nellimoottil)

The application having been heard on 11th February 2002
the Tribunal on the same day delivered the following:

O R D E R

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

The applicants four in number commenced their service in the Skilled Grade but were absorbed as Gangman and Gangwoman. Their grievance is that their claims for absorption against 25% quota of promotion vacancies in the skilled grade is not being considered despite their making representations. (Annexures A-3, A-4 and A-5 are the representations made by the applicants 1, 3 and 4 and it is stated that the second applicant has also made a similar representation.) Therefore, the applicants have filed this application for a declaration that the applicants are entitled to be considered for absorption in Group 'C' post commensurate with their qualification and experience in the Railways and direct the respondents accordingly and in the alternative, to direct the 4th respondent to consider and dispose of Annexures A3, A4 and A5 representations and similar representation submitted by the 2nd applicant.

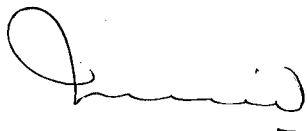
2. When the O.A. came up for hearing on admission, learned counsel on either side agree that the application may be disposed of directing the 4th respondent to consider Annexures A3, A4 and A5 representations made by the applicants 1,3 and 4 as also the representation made by the 2nd applicant within a reasonable time.

3. In the light of the above submission made by the learned counsel on either side, the application is disposed of directing the 4th respondent to consider the representations A-3, A-4 and A-5 submitted by the applicants 1, 3 and 4 and

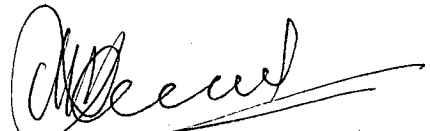
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also the similar representation submitted by the 2nd applicant in the light of the rules and instructions on the subject and to give the applicants appropriate replies within a period of three months from the date of receipt of a copy of this order. There is no order as to costs.

Dated the 11th February, 2002.



T.N.T. NAYAR
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

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A P P E N D I X

Applicants' Annexures:

1. A-1 : True copy of order No.M/P1(W) 407/De-Casualisation dt. 2.2.96 of the Senior Divisional Personnel Officer, Madras.
2. A-2 : True copy of Memorandum No.P.531/I/CN dated 20.2.96 of Chief Engineer/Construction/Madras.
3. A-3 : True copy of 1st applicant's representation dt.6-3-96 addressed to the 4th respondent.
4. A-4 : True copy of 3rd applicant's representation dt.5-3-96 addressed to the 4th respondent.
5. A-5 : True copy of 4th applicant's representation dt.6-3-96 addressed to the 4th respondent.
6. A-6 : True copy of letter No.P.564/I/CN/Empanelment dt.22.12.2000/9-1-2001 of the Chief Engineer/Construction.
7. A-7 : True copy of Railway Board's order No.E(NG)II/97/RC-3/4 dated 9-4-97.
8. A-8 : True copy of letter No.P(S) 443/1198/CAT/MAS/Vol.III dt 3.8.2001 of the General Manager, Southern Railway.

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