

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.341/2001

Monday this the 16th day of April, 2001.

CORAM

HON'BLE MR. A.M.SIVADAS, JUDICIAL MEMBER
HON'BLE MR. G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

S.Mohan
S/o Shekaran K.,
Caretaker
Running Bunglow, Southern Railway
Marshalling Yard
Residing at Ragasudha
Chellamangalam
Chempazhanthy P.O.

Applicant

[By advocate Mr.P.Ramakrishnan]

Versus

1. Union of India represented
by the General Manager
Southern Railway
Chennai.
2. The Senior Divisional Personnel officer
Southern Railway
Trivandrum.
3. S.Suresh Kumar
Pointman I
Southern Railway
Kochuveli.

Respondents

[By advocate Mr.K.V.Sachidanandan]

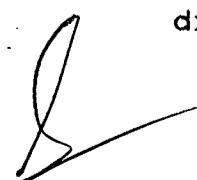
The application having been heard on 16th April, 2001,
the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR. A.M.SIVADAS, JUDICIAL MEMBER

Applicant seeks the following reliefs:

- (i) An order quashing and setting aside Annexure A2 to the extent it rejects the applicant's request for appointment as ticket checker.
- (ii) An order quashing and setting aside Annexure A3 to the extent it offers appointment as Ticket Checker to the 3rd respondent.
- (iii) An order directing the 1st and 2nd respondents to appoint the applicant as Ticket Checker w.e.f. the date of his appointment in the lower medical category.
- (iv) Hold that the applicant is entitled to be appointed as Ticket Checker, and that the denial of the same is discriminatory and illegal.



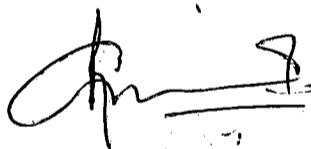
(v) Such other orders and directions as are deemed fit in the facts and circumstances of the case.

2. As far as the first relief to quash A2 is concerned, it is time barred as A2 is dated 20th of August, 1994 and this Original Application was filed only on 2nd April, 2001.

3. With regard to the remaining reliefs, the learned counsel appearing for the applicant submitted that the 2nd respondent may be directed to consider A4 and pass appropriate orders. As A4 representation of the applicant is dated 5.1.2001, the applicant has to wait for a reasonable period i.e. 6 months. Since 6 months is not over from the date of A4, this prayer is premature.

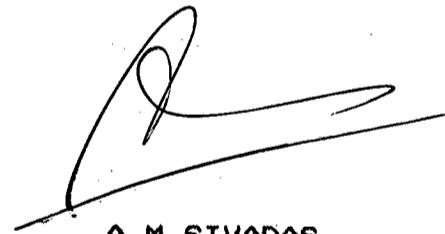
4. Accordingly this Original Application is dismissed.

Dated 16th April, 2001.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER

aa.



A.M. SIVADAS
JUDICIAL MEMBER

Annexures referred to in this order:

A2 True copy of letter No.V/P536/II/CM/PM/PM-I/LM-I/Sr.GM/Vo.IV dated 20.8.94 issued by the 2nd respondent.

A3 True copy of O.O.No.69/2000/Commr. dated 18.12.2000 issued by the 2nd respondent.

A4 True copy of representation dated 5.1.2001 from the