

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.410/2002

Wednesday this the 12th day of June, 2002

CORAM

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

C.V.Velayudhan,
Senior Diesel Assistant,
Southern Railway,
Erode.

...Applicant

(By Advocate Mr. T.A.Rajan)

V.

1. Union of India, represented by
the General Manager,
Southern Railway,
Chennai.3.

2. The Senior Divisional Mechanical Engineer,
Southern Railway, Palghat Division,
Palghat.

3. The Senior Divisional Personnel Officer,
Southern Railway,
Palghat Division,Palghat.

...Respondents

(By Advocate Smt. Sumathi Dandapani)

The application having been heard on 12.6.2002, 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 a Senior Diesel Assistant has completed the mechanism course in the Diesel Traction Training Centre, Ponmala but he has not been sent for the G.R.S. Course which is also a pre-requisite for promotion as Shunter. Finding that his juniors have been sent for the course and appointed as Shunters, the applicant made a representation Annexure.A4 on 18.2.2002 requesting that he may also be sent for the course and promoted as Shunter with effect from the date of promotion of his junior Shri C.V.Krishnan, as not sending him for GRS Course and not promoting him alongwith junior was on administrative ground and not any reason attributable to him. This

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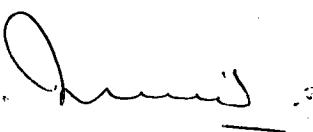
representation has not been considered and disposed of.

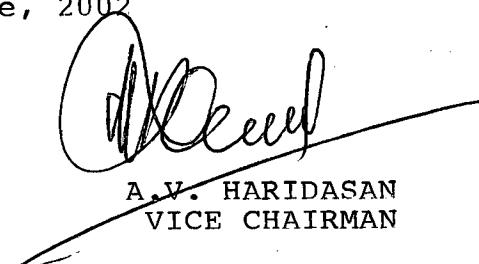
Under these circumstances, the applicant has filed this application seeking a declaration that not sending the applicant for the G.R.S. Course for promotion to the Post of Shunter is arbitrary and illegal and for a direction to the respondents to send the applicant for G.R.S. Course and promote him to the post of Shunter from the date of promotion of his junior with all consequential benefits. It has also been prayed in the alternative that the second respondent may be directed to consider and dispose of Annexure A.4 representation at the earliest.

2. When the application came up for admission, Smt. Sumati Dandapani took notice for the respondents. Counsel appearing on either side agreed that the application may be disposed of granting the alternate prayer in sub para (iii) of para 8 of the Original Application.

3. In the light of what is stated above, the application is disposed of directing the second respondent to consider Annexure A4 representation and to give the applicant an appropriate reply within a period of three weeks' from the date of receipt of a copy of this order. There is no order as to costs.

Dated the 12th day of June, 2002


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

(s)

A P P E N D I X

Applicant's Annexures:

1. A-1: True copy of letter No.T/DTTC/Trg/Rg/Shrs dated 23.9.2000 of the Chief Instructor, Diesel Traction Training Centre, Ponmalai.
2. A-2: True copy of letter No.T/DTTC/TRG/RG/D dated 12.10.2000 of the Chief Instructor, Diesel Traction Training Centre, Ponmalai.
3. A-3: True copy of the memorandum No.ZTC/142/GRS/LM 17 & 18 dated 22.10.2001 of the Principal, Zonal Training Centre, Triruchirappally.
4. A-4: True copy of applicant's representation dated 18.2.2002 addressed to the 2nd respondent.

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14.6.02