

Central Administrative Tribunal Lucknow Bench Lucknow

O.A. 300/2009,

This, the 28th day of July, 2009

Hon'ble Ms. Sadhna Srivastava, Member (Judicial)

Hon'ble Dr. A. K. Mishra, Member (Administrative)

Rajendra Kumar aged about 32 years son of Sri Kapil Deo Chaurasia, resident of House No. 551 Ka, 290 D, Om Nagar, Alambagh, Lucknow, permanent resident of Village Krishnanagar, Post-Basahi, District- Lakhimpur Kheri.

Applicant

By Advocate: Sri Raj Singh

VERSUS

1. Union of India through the Secretary, Railway Board, New Delhi.
2. The General Manager (Personnel), North Eastern Railway, Gorakhpur.
3. The Divisional Railway Manager, North Eastern Railway, Ashok Marg, Lucknow.
4. The Chief Commercial Manager, North Eastern Railway, Gorakhpur.
5. The Divisional Railway Manager, North Central Railway, Agra.

Respondents.


By Advocate Sri S. Verma

ORDER (ORAL)


By Hon'ble Ms. Sadhna Srivastava, Member (J)

The applicant is aggrieved with the action of respondents in not issuing the posting order to him on the post of Enquiry-cum-Reservation Clerk (in short ECRC) despite the fact that applicant was transferred to North Eastern Railway, Lucknow Division from North Central Railway vide order dated 1.10.2007. In pursuance of the order dated 1.10.2007, the applicant has been relieved on 22.9.2008 from Agra, North Central Railway. Thereafter, he reported for duty before respondent No. 2 i.e. General Manager (Personnel), North Eastern Railway, Gorakhpur on 23.9.2009. It is alleged in the O.A. that applicant has been transferred to North Eastern Railway, Lucknow on his own request after accepting the bottom seniority of the post. The applicant approached the respondent No. 3 for his posting but till date no order has been passed regarding his posting. He filed a representation before respondent No. 2 i.e. General Manager (Personnel) for issuing the posting order on 6.10.2008 (Annexure A-9). He sent several reminders but no action has been taken by the respondents on his representation. It is alleged in the O.A. that after 22.9.2008, several persons have been

transferred and posted as ECRC in Lucknow Division but the applicant's request for posting has not been considered. At this stage, the applicant prays for a direction to the respondent No. 2 i.e. General Manager (Personnel) to treat this O.A. as a representation and dispose of his representation by a reasoned and speaking order within stipulated period. The aforesaid prayer has not been opposed by the respondents. Accordingly, the O.A. is disposed of with a direction to the respondent No. 2 to treat this O.A. as a representation of the applicant and decide the same by a reasoned and speaking order within a period of 4 weeks from the date of receipt of copy of this order. It is made clear that we are not expressing any opinion on the merit of the case. No order as to costs.


(Dr. A. K. Mishra)
Member (A)

HLS/-


(Ms. Sadhna Srivastava)
Member (J)