

CEBTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH  
ORIGINAL APPLICATION NO:123/2000  
DATED THE 3RD DAY OF March, 2000

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman.  
Hon'ble Shri B.N.Bahadur, Member(A).

Shri S.B.Page,  
Head Clerk(P) Diesel Shed/Pune  
under D.R.M.C.Rl, Pune. ... Applicant

By Advocate Shri K.B.Talreja

v/s.

1. The Union of India,  
Through the General Manager,  
Central Railway, Mumbai CST.
2. The Divisional Railway Manager,  
Central Railway, Pune Division,  
Pune.
3. The Divisional Railway Manager,  
Central Railway, Solapur Division,  
Solapur. ... Respondents.

By Advocate Shri Suresh Kumar

(ORDER) (ORAL)

Per Shri Justice R.G.Vaidyanatha, Vice Chairman.

This is an application filed by the applicant seeking direction to respondents to enforce the order of promotion and for other consequential reliefs.

We have heard Shri K.B.Talreja,  
Counsel for Applicant and Shri Suresh Kumar,  
Counsel for Respondents.

2. Admittedly the applicant has passed the required test and he was empanelled for promotion to the post of Office Superintendent Grade-II. Though earlier an order of promotion was issued, subsequently there is a second order of promotion dated 8/1/98 in which the applicant

...2.

123/2000

has been transferred on promotion as (OS-II) in the grade of Rs.5500-9000 at Daund in Solapur Division. Now the respondents have not effected the order of promotion because the applicant was not relieved at Pune and in the meanwhile, the panel period has expired.

Since the panel period has expired for no fault of applicant, the respondents are bound to implement the order of promotion dated 8/1/98.

3. We therefore hereby direct Divisional Railway Managers of Pune and Solapur Division to relieve the applicant and to give effect to the order of promotion dated 8/1/98 within a period of 7days from the date of receipt of copy of this order. However, we also give liberty to Administration that in case no vacancy is available at Daund, the applicant can be posted in any other vacancy at Solapur. However, if there is any Administrative difficulties, the respondents should bring the same to the notice of the Tribunal on 17/3/2000.

4. Liberty to get this order served on Divisional Railway Manager at Pune and Solapur for information and necessary action.

Copy of this order be furnished to applicant's counsel today itself.

*B.N.Bahadur*  
(B.N.BAHADUR),  
MEMBER(A)

abp.

*R.G.Vaidyanatha*  
(R.G.VAIDYANATHA)  
VICE CHAIRMAN