

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.



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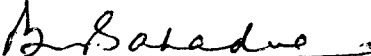
has been transferred on promotion as (OS-II) in the grade of Rs.5500-9000 at Daund in Solapur Division. Now the respondents have not effected the order of promotion because the applicant was not relieved at Pune and in the meanwhile, the panel period has expired.


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),  
MEMBER(A)

  
(R.G. VAIDYANATHA)  
VICE CHAIRMAN

abp.