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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

GA No. 1109/1992

Date of order: 6.5.1997

Chandra Prakash s/o Shri Ram Lal, presently posted as Traction Foreman (W&S), Western Railway, Kota

.. Applicant

Versus

1. Union of India through General Manager, Western Railway, Churchgate, Bombay.
2. Chief Electrical Distribution Engineer, Western Railway, Churchgate, Bombay.
3. Chief Electrical Engineer, Western Railway, Churchgate, Bombay.

.. Respondents

Mr. R.N.Mathur, counsel for the applicant

Mr. Manish Bhandari, counsel for the respondents

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman

Hon'ble Mr. O.P.Sharma, Administrative Member

ORDER

Per Hon'ble Mr. Gopal Krishna, Vice Chairman

Applicant, Chandra Prakash, in this application under Section 19 of the Administrative Tribunals Act, 1985, has challenged the process of selection for the post of Traction Foreman (for short TFO). The applicant has also prayed for a direction to the respondents to redetermine the marks on the basis of the seniority in the case of the applicant. The applicant has claimed promotion to the post of TFO w.e.f. the date other persons in the select panel were given promotion.


2. Heard the learned counsel for the parties and perused the records.

3. The learned counsel for the applicant has mainly argued that the respondents had not declared any seniority list of

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ATFO's at the zonal level. A tentative seniority list was issued by the Chief Electrical Engineer (E) vide communication dated 22.5.1992 and it was notified therein that if any employee is aggrieved by the seniority position assigned to him, he may file a representation. In the said tentative seniority list <sup>the</sup> name of the applicant is shown at Sl.No. 32 whereas the name of Shri D.R.Fandey is shown at Sl.No.12. The applicant represented against the said seniority list assigned to him but the respondents without deciding the applicant's representation proceeded to conduct the selection test for promotion to the post of TFO. The learned counsel for the applicant has stated today that the representation of the applicant at Ann.A4 dated 25.6.1992 has not been decided by the respondents till date and he wants that the same be decided through a speaking order on merits.

4. In the circumstances, the present OA is disposed of with a direction to respondent No.3 to decide the representation made by the applicant vide Ann.A4 dated 25.6.1992 meeting all the points raised therein through a detailed order on merits within a period of 3 months from the date of receipt of a copy of this order. No order as to costs.

  
(O.P.Sharma)

Administrative Member

  
(Gopal Krishna)

Vice Chairman