

23

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

ORIGINAL APPLICATION NO.379/93.

DATE OF ORDER : 09-01-1997.

Between :-

B.Balasubrahmanyam

... Applicant

And

1. The Divisional Railway Manager (Personnel),  
S.C.Rlys, Vijayawada.
2. The Sr.Divisional Personnel Officer,  
SC Rlys, Vijayawada.

... Respondents

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Counsel for the Applicant : Shri M.V.K.Vishwanadham

Counsel for the Respondents : Shri N.R.Devaraj, S.C.for Rlys

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CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (J)

(Order per Hon'ble Shri R.Rangarajan, Member (A) ).

*B*

*[Signature]*

... 2.

(Order per Hon'ble Shri R.Rangarajan, Member (A) ).

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Heard Shri M.V.K.Viswanadham, counsel for the applicant and Shri N.R.Devaraj, standing counsel for railways.

2. It is stated that the applicant worked <sup>Camel</sup> as a Rivetter from 10-11-1964 to 9-11-1969 and from 10-7-70 to 27-7-1977. After <sup>has been</sup> (due) screening, he was posted as Bellows Boy and continuing in that capacity . On 13-7-78 he submitted representation to Respondent No.1 for transferring him as a Rivetter in view of his vast earlier experience. The applicant submitted that his case was recommended by the Bridge Inspector, S.C.Railway, Vijayawada as can be seen from <sup>representation</sup>. But it is stated that no action has been taken.

3. This O.A. is filed for promotion <sup>from</sup> to Class-IV to Class-III <sup>higher</sup> in spite of being eligible to the said post.

4. A reply has been filed. The respondents have stated that the Rivetter is a Class-III post. The applicant <sup>be posted in</sup> Group-D after due screening ~~he~~ cannot claim to ~~go for~~ the post of Rivetter. In case, he he wanted to be posted as a Group-C as a Rivetter, he should have waited for a chance to occur either against the Departmental quota or against the direct recruitment quota. Having accepted the group-D post he has to progress as per the channel, ~~if he is not~~ in the channel of promotion for that post. Nowhere <sup>in</sup> the reply or in the O.A. it has been stated that channel of promotion for the post of Rivetter (and no rule has been produced to show ~~case~~ that his case should be considered in view of his long experience as a casual rivetter earlier. In any case the applicant


Let from Bellows Boy.

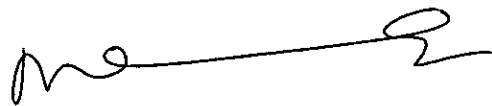
R

D

is at liberty to ask for change of category which will enable him to progress as a revetter. We have no doubt in our mind if such a representation for change of category is received by concerned respondents, the same <sup>will</sup> ~~should~~ be considered in accordance with the rules.

5. In view of what is stated above the O.A. is disposed of with no order, ~~as to costs~~. However, the applicant is at liberty to ask for a change of proper category for getting promotion to the post of Revetter if so advised. If such a representation is received, the concerned authorities will consider the same in accordance with the rules. No order as to costs.

  
(B.S. JAI PARAMESHWAR)  
Member (J)

  
(R. RANGARAJAN)  
Member (A)

9.1.97

Dated: 9th January, 1997.  
Dictated in Open Court.

*Am 16/10*  
Dy. Registrar (Sd/-)

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Copy to:-

1. The Divisional Railway Manager(Personnel), S.C.Rly, Vijayawada.
2. The Sr. Divisional Personnel Officer, S.C.Rly, Vijayawada.
3. One copy to Sri. M.V.K.Vishwanadham, advocate, CAT, Hyd.
4. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

Rsm/-

2/1/97

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH: HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:  
M(J)

DATED:

9/1/97

Order/Judgement  
R.P/C.P/M.A.NO.

O.A.NO.

379/93

ADMITTED AND INTERIM DIRECTIONS ISSUED  
ALLOWED

~~DISPOSED OF WITH DIRECTIONS~~

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~DISMISSED FOR DEFAULT~~

~~ORDERED/REJECTED~~

~~NO ORDER AS TO COSTS.~~

II COURT

YLKR

