

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Decision: 21.2.94.

OA 457/93

SUBHASH YADAV

... APPLICANT.

Vs.

UNION OF INDIA & ORS. ... RESPONDENTS.

CORAM:

HON'BLE MR. GOPAL KRISHNA, MEMBER (J).
HON'BLE MR. G.P. SHARMA, MEMBER (A).

For the Applicant ... SHRI B.N. BHARGAVA.

For the Respondents ... NONE.

PER HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

In this application u/s 19 of the Administrative Tribunals Act, 1985, the applicant's grievance is against the letter dated 21.4.89 (Annexure A-1), by which a panel was to be drawn for the post of Carriage Foreman (CFO) grade Rs.2000-3200. The applicant had appeared in the interview after qualifying the written test vide Annexure A-2 but the result of the same has not been declared till date. The number of posts to be filled up was not disclosed in the letter Annexure A-1. First a panel was prepared for 7 posts vide Annexure A-3 and then it was increased to 9 posts vide Annexure A-4 and ultimately vide letter dated 5.3.90 (Annexure A-5) it was disclosed that the panel was meant for 11 posts including two posts for S.T. candidates. Later on, these two posts for ST candidates were de-reserved vide Annexure A-6 and all the 11 posts were made available for the general category candidates. However, out of 20 candidates, figuring in Annexure A-2, candidates upto Sl.No.12 have been absorbed in 9 posts vide Annexure A-4. The applicant claims that the 10th or 11th post should have been offered to him. The applicant claims seniority from the date the first seven persons figuring in Annexure A-3 started working in the post of CFO/CWI scale.

Rs.2000-3200 (RPS) in the C & W Department.

2. This application was dismissed in default on 22.11.93 but it was restored on the condition that the applicant would pay Rs.100/- (Rs. One hundred only) as costs. The learned counsel for the applicant says that the costs have already been paid.

3. We have heard the learned counsel for the applicant. The learned counsel for the applicant has drawn our attention to the representation made by the applicant vide Annexure A-10 dated 11.5.92 and he prays that the same be decided by the Divisional Railway Manager, Northern Railway Division, Bikaner (Respondent No.2) on merits.

4. We, therefore, dispose of this OA at the admission stage with a direction to the respondent No.2 to decide the representation dated 11.5.92 (Annexure A-10) through a detailed order on merits within a period of two months from the date of receipt of a copy of this order. The applicant shall however be at liberty to file a fresh OA if he is aggrieved by the decision taken on his representation.

O.P. SHARMA
MEMBER (A)

Gopala Krishna
(GOPAL KRISHNA)
MEMBER (J)