

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Decision: 03.11.1993.

OA 289/93

HAZARI LAL ... APPLICANT..

V/s.

UNION OF INDIA & ORS. ... RESPONDENTS.

CORAM:

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

For the Applicant ... SHRI J.K. KAUSHIK.

For the Respondents ... ---

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

The applicant, Hazari Lal, has filed this application u/s 19 of the Administrative Tribunals Act, 1985, praying that the respondents No.1 to 3 may be directed to assign correct seniority to the applicant on the post of Gangman in accordance with Rule 311 of the Indian Railway Establishment Manual (for short 'IREM') and allow all consequential benefits including further promotion at par with his next juniors respondents 4 and 5.

2. The applicant's case is that he was initially appointed as Gangman at Bhawani Mandi and he was transferred from Gang No.20 to Gang No.16 under the Permanent Way Inspector, Bhawani Mandi in administrative interest. The transfer was made within the same seniority unit. However, in 1984, an office of Additional Permanent Way Inspector, Shyamgarh was established and some part of the area of Bhawani Mandi Section and Vikaram-Alot Section was placed under the Permanent Way Inspector, Shyamgarh, and the

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applicant fell under him. The applicant submitted a representation dated 24.2.89 requesting for being transferred to Gang No.20 under the Permanent Way Inspector, Bhawani Mandi, in his seniority unit and it was duly forwarded by the Permanent Way Inspector, Bhawani Mandi, vide a letter dated 16.3.89 at Annexure A-2. The concerned authorities were pleased to transfer the applicant from Gang No.16 to Gang No.20 with his original seniority vide letter dated 30.5.89 (Annexure A-3). The applicant submitted a representation dated 13.11.92 for assigning of due seniority and for consideration for promotion as Keyman and it was also forwarded by the Permanent Way Inspector, Bhawani Mandi, vide Annexure A-5. The learned counsel for the applicant submits that no decision has been taken on this representation till date.

3. In the circumstances, we dispose of this OA with the direction to respondents No.2 and 3 to decide the representation made by the applicant on 13.11.92 (Annexure A-4) on merits within a period of two months from the date of receipt of a copy of this order. The OA stands disposed of at the stage of admission.

Let a copy of the paper book alongwith a copy of the order be sent to the respondents No.2 and 3.

(O.P. SHARMA)
MEMBER (A)

GK
(GOPAL KRISHNA)
MEMBER (J)