

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 28.2.2001

OA 167/97

Babu Lal Mali, Paniwala in the Western Railway, Fulera.

... Applicant

Versus

1. Union of India through General Manager, Western Railway, Churchgate, Mumbai.
2. Divisional Rly Manager, Western Railway, Jaipur Division, Jaipur.
3. Divisional Rly Manager, Ajmer Division, Western Railway.

... Respondents

CORAM:

HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER

HON'BLE MR.N.P.NAWANI, ADMINISTRATIVE MEMBER

For the Applicant ... Mr.Shiv Kumar

For the Respondents ... Mr.K.S.Sharma

O R D E R

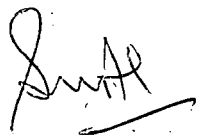
PER HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER

In this OA filed u/s 19 of the Administrative Tribunals Act, 1985, applicant makes a prayer to direct the respondents to decide that to which division applicant belongs. Further directions are also sought to allow the applicant to work in Ajmer Division.

2. The main grievance of the applicant in this OA is that the railway administration has not made it clear so far to which division applicant belongs, due to which he is not getting his due benefits of service in time.

3. Separate replies to the OA have been filed by respondents No.2 and 3.

4. In the reply filed by respondent No.2 it has been stated that the applicant was initially appointed in Ajmer Division, therefore, he is under Ajmer Division for the sake of promotion/lien. In the same way, respondent No.3 in his reply has stated that applicant was initially appointed in

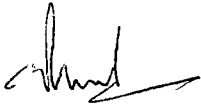


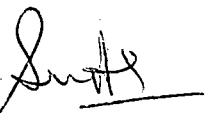
Jaipur Division and was granted temporary status by respondent No.2, therefore, applicant's avenue of promotion/lien is under Jaipur Division.

5. We have heard the learned counsel for the parties and also perused the whole record.

6. Admittedly, the applicant is a railway employee. On perusal of replies filed by respondents No.2 and 3 it is revealed that both the divisions are not prepared to accept to which division applicant belongs. It is the duty of the railway administration to decide regarding every employee to which division they belong, for the purpose of promotion/lien etc. Therefore, it will be just and proper to direct respondent No.1 to decide this fact to which division applicant belongs so that the applicant may get his due benefits in time.

7. We, therefore, allow this OA and direct respondent No.1 to determine within three months from the date of receipt of a copy of this order as to which division applicant belongs. This decision shall be taken by respondent No.1 after giving an opportunity of hearing to the applicant. No order as to costs.


(N.P.NAWANI)
MEMBER (A)


(S.K.AGARWAL)
MEMBER (J)