

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 06.03.1998

OA 526/97

Bhanwar Bar, Jamadar, Railway Station Goverdhan, Distt. Mathura (U.P.).

... Applicant

Versus

1. Union of India through the General Manager, Western Railway, Churchgate, Bombay.
2. Regional Railway Engineer (II) (Establishment), Western Railway, Jaipur.
3. Assistant Engineer, Western Railway, Alwar.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.O.P.SHARMA, ADMINISTRATIVE MEMBER

For the Applicant

... Mr.D.K.Ehardwaj

For the Respondents

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O-R-D-E-R

PER HON'BLE MR.GOPAL KRISHNA, -VICE-CHAIRMAN

Applicant, Bhanwar Bar, in this application under Section 19 of the Administrative Tribunals Act, 1985, has challenged the impugned order dated 18.6.97, at Annexure A-1, by which he was reverted from the post of Jamadar scale Rs.950-1500 (RF) to that of Gangman scale Rs.775-1025 (RF).

2. Heard the learned counsel for the applicant. The case of the applicant is that he was appointed on 10.3.82 in the Western Railway on the post of Jamadar. He was transferred on various occasions to various places. He was made permanent w.e.f. 10.3.87 and was fixed in the pay scale of Rs.950-1500 (RF). However, respondent No.3, on 18.6.97, forcibly took an affidavit from the applicant to the effect that he is ready to work as Gangman. On the basis of that affidavit, the impugned action was taken by the respondents and the same is assailed as being arbitrary.

3. The learned counsel for the applicant has drawn our attention to the representation made by the applicant, at Annexure A-2, dated 26.7.97, which is pending consideration.

4. In the circumstances, we dispose of this application, at the stage of admission, with a direction to respondent No.3 to decide the applicant's representation through a detailed speaking order on merits meeting all the points raised therein within a period of two months from the date of receipt

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of a copy of this order. If the applicant is aggrieved by any decision taken on the representation, he may file a fresh OA. Let a copy of the OA and the annexures thereto be sent to respondent No.3 alongwith a copy of this order.

  
(O.P. SHARMA)

ADM, MEMBER

  
(GOPAL KRISHNA)

VICE CHAIRMAN

VK