

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

O.A.No. 100/2001

Date: 22.11.2002

Hon'ble Mr. G.C. Srivastava, Member (A)

Hon'ble Mr. M.L. Chauhan, Member (J)

Ganga Sahai s/o Randhen aged about 45 years - Baldar
under Section Engineer (Works) Alwar and Resident of
Railway Quarter No. G 13 B Railway Colony, Alwar.

..... Applicant

(By Advocate: Mr.N.K. Gautam)

Versus

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

..... Respondents

(By Advocate: Mr. Tej Prakash Shama)

O R D E R (Oral)

Hon'ble Mr. G.C.Srivastava, Member (A)

Heard Mr. N.K. Gautam, learned counsel for the
applicant and Mr. Tej Prakash Shama, learned counsel
for the respondents.

2. In this OA the applicant who was working as Baldar
under the respondents is aggrieved on account of the order
of reversion passed by the respondents vide memo dated
1.10/11.97 (Annexure A-1). According to Mr. Gautam,
after receipt of the reversion order the applicant had
been representing to the respondents and the last
representation given by him was through a notice of the
advocate dated 1.2.2000 (Annexure A-6) but the respondents
have neither decided the representation of the applicant
nor given any reply to him.


Tej

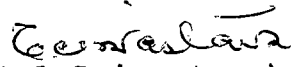
3. The respondents have filed detailed reply stating inter alia that the applicant had passed trade test of Khalasi in 1982 but due to conditional refusal for promotion as Khalasi he was not eligible for promotion and hence the order was cancelled vide the impugned order (Annexure A-1). However, according to Mr. Gautam, the applicant had never given any conditional refusal/acceptance to the promotion and no record has been produced by the respondents to show that he had given a conditional refusal/acceptance.

4. After discussion at the Bar, the learned counsel for the applicant agrees that the applicant would be satisfied if the respondents are directed to consider the representation submitted by him particularly the one dated 17.11.97 (Annexure A-3) and pass appropriate order within a specified time frame.

5. Under the circumstances, we direct the respondent No.2 to consider the representations submitted by the applicant and particularly the representation dated 17.11.97 (Ann. A-3) and pass an appropriate speaking order under intimation to the applicant within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, the OA stands disposed of with no order as to costs.


(M.L. Chauhan)
Member (J)


(G.C. Srivastava)
Member (A)

vtc.