

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

JAIPUR

Date of order:

23.08.02

OA No. 351/2002

1. Hazari Singh s/o Shri Nathu Singh
2. Ram Swaroop s/o Shri Ganga Ram
3. Bheru Lal Mali s/o Shri Panna Lal Mali
4. Keshav Dev s/o Shri Sher Singh
5. Shyam Lal s/o Shri Mangi Lal
6. Mukesh Chand Jain s/o Shri Prem Kumar Jain
7. Jitendra Kumar s/c Shri Nathu Singh
8. Ashok Kumar Sharma s/o Shri Kalu Ram Sharma
9. Gopal Singh Chauhan s/o Sh. Bhanwar Lal Chauhan
10. Deepak Singh s/c Shri Devendra Pal Singh
11. Jordan Francis Robert s/o Shri Joel Robert
12. Kamlesh Kumar Gaur s/o Shri Ramesh Chand Gaur
13. Prabhu Singh Rawat s/c Shri Ghensi Singh Rawat
14. Manik Kumar s/o Shri Bishan Lal
15. Gopal Lal Mali s/o Shri Bhalu Mali
16. Kailash Kant Sharma s/o Sri Ganga Nand Sharma
17. Trivendra Kumar Sharma s/o Shri Suresh Chand
18. Damodar Morya s/c Shri Bapta Ram Morya

All the applicants are working as Helper  
Khallasai/Khallasai in the office of Dy. Chief Electrical  
Engineer (Workshop), Western Railway, Ajmer.

.. Applicants

Versus

1. Union of India through the General Manager,  
Western Railway, Churchgate, Mumbai.
2. Divisional Railway Manager, Western Railway,  
Ajmer.
3. Chief Works Manager, Loco Workshop, Western



Railway, Ajmer.

4. Dy. Chief Electrical Engineer (Workshop),  
Western Railway, Railway Power House Nagra,  
Ajmer.

.. Respondents

Mr. C.B.Sharma, counsel for the applicants

CORAM:

HON'BLE MR. H.O.GUPTA, MEMBER (ADMINISTRATIVE)

HON'BLE MR. M.L.CHAUHAN, MEMBER (JUDICIAL)

O R D E R

Per Hon'ble Mr. H.O.Gupta, Member (Administrative)

Applicants are aggrieved of the order dated 24.11.01 (Ann.Al) whereby the process of promotion to the post of Skilled Artisan in the pay scale of Rs. 3050-4590 from the serving employees is being postponed although they have qualified in the written test and there is no requirement of oral test. They have prayed for appropriate directions to the respondents to induct them in the post of Skilled Artisan after completion of the selection process with all consequential benefits. They have also prayed for quashing the impugned letter and for directions not to fill up these posts by any other source, on various grounds stated in this application.

2. The case of the applicants as made out, in brief, is that:-

2.1 They are substantive employees of the Western Railway and working on the post of Helper Khallasi/Khallas in the Electrical Department Workshop, Ajmer in different branches i.e. refrigeration, train lighting etc. under respondent No.4.



2.2 As per rules, 25% of the posts of Skilled Artisans in the scale of Rs. 3050-4590 are required to be filled by promotion from the eligible staff of semi skilled and unskilled category by way of written test and thereafter prescribed training.

2.3 The respondents vide letter dated 30.5.01 (Ann.A2) declared 16 vacancies for the said promotion and called for applications from the willing employees. Thereafter the eligibility list was issued by the respondent No.4 vide letters dated 8.8.01 (Ann.A3) and 17.8.01 (Ann.A4). They appeared in the written test conducted on 19.9.01 and were declared successful vide letter dated 12.10.01 (Ann.A5). Thereafter respondents ordered oral examination on 1.11.01 and the same was postponed to 27.11.01 which was also postponed vide the impugned order dated 24.11.01. The oral examination is being postponed till further orders without any reason in spite of the facts that they are eligible for promotion and they have already passed the written examination. In fact, there is no need for any oral examination and the applicants can be inducted in the prescribed training course without any delay, but the respondents without disclosing any reason delayed the process of promotion, which is not justified.

2.4 They represented vide their letters dated 25.1.02 (Ann.A7) and 4.7.02 (Ann.A8), but without any relief and hence this OA.

3. Heard the learned counsel for the applicant at length. The representation of the applicants is pending before the respondents and that there is no specific



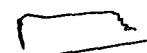
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reason available on record for not conducting the oral test or for not sending the applicants for training. Without going into the merit, we feel that the respondents should dispose of the representations of the applicants. Accordingly, this OA is disposed of at the admission stage itself with the direction to the applicants to file fresh representations to the respondent No.4 alongwith a copy of this order and giving copies to respondent Nos. 2 and 3 for information, within 15 days and by Speed Post to avoid delay. In that event, the respondent No.4 shall dispose of these representations through a speaking order within 4 weeks from the date of receipt of representations.



(M.L.CHAUHAN)

Member (Judicial)



(H.O.GUPTA)

Member (Administrative)