

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

CA NO. 39/197

Mr. B. N. Roy . . . . . Applicant(s)

-Versus-

Union of India & ors . . . . . Respondent(s)

Mr. S. C. Datta, B. Chakraborty, A. K. Baruah Advocates for Applicant(s)

Mr. B. K. Sonowal, R. S. . . . . Advocates for Respondent(s)

Office Notes Date Court's Order

This application is in  
form and filed. This  
C. N. on R. No. 26/2  
deposited via  
IPO 27 No. 27293  
Dated 15.2.97

*For 26/2*  
*27/2 1997*  
*26/2*

4.3.97

Issue notice on the respondents to show cause as to why this application should not be admitted and reliefs prayed should not be granted. Returnable by six weeks.

List on 8.4.1997 for show cause and admission.

*6*  
Member

*S. S.*  
Vice-Chairman

Annexure III page  
11 and 12 not legible.

*M 26/2*

12-3-97

1) Record received from  
Court on 12-3-97

2) Requisite filed on 4-3-97

3) Notice prepared and sent  
to Deshpachet Section

pg

M

11/3

8.4.97

In this application the applicant has challenged the Annexure-VI order dated 22.5.96 whereby the applicant was reverted from the post of Cabin Man Grade I to Cabin Grade II. The applicant was holding the post of Cabin Man Grade II and by order dated 25.4.90 he was promoted to Cabin Man Grade I and he was holding the said post for the next six years. In the meantime his scale of pay was revised as per the revision of pay. He was getting the scale of pay of Rs. 1200-1800/- with effect from 1.3.1993. By Annexure-VI order dated 22.5.96 he was reverted

*B. N.  
12-3*

19-3-97

Notice issued to the Respondent  
No. 1 to 4 by Registered Post with  
A/D. vide Despatch No- 745 to  
748 Dt- 12-3-97.

*X-1  
13-3*  
Notice duly served  
on R. No-2.

1) Show cause his not been held.

*R. No-1*

contd...

8.4.97 to the original post of Cabin Man Grade II and this was done without giving any opportunity of hearing. Being aggrieved the applicant submitted a representation (Annexure-VII) dated 7.6.96 to the Divisional Railway Manager (Personnel) through the Chief Yard Master contending inter alia that the reversion was not justified and also prayed that he might be put back to the post of Cabin Man Grade-I. The said representation is still pending. As the representation was not disposed of the applicant <sup>has</sup> filed the present application.

Notice on the second respondent was duly served. Notices are also deemed to be served on respondents No.1, 3 & 4, as the notices were sent by registered post. There is no representation on behalf of the respondents.

We have heard Mr S.C.Dutta Roy, learned counsel appearing on behalf of the applicant. The applicant submitted representation to the third respondent. When a representation was filed ~~xxxx~~ it was a duty of the respondents, more specifically the third respondent to dispose of the representation. However, this was not done even after the expiry of six months. Therefor, we dispose of this application with a direction to the third respondent to dispose of Annexure-VII representation dated 7.6.1996 <sup>at any rate</sup> as early as possible, within a period of 1 (one) month from the date of receipt ~~xxxx~~ of this order.

Original Application is disposed of.

60  
Member

  
Vice-Chairman

24.4.97  
copy of the order  
has been sent to the  
Division for issuing  
the same to the  
parties.

Issued under  
1478 to 1482  
30.4.97

1478  
7/5