

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI-5

O.A. NO. 19 of 1997

Date of decision 2.9.98

Shri Pradip Kumar Dey

PETITIONER(S)

Mr. M. Chanda

ADVOCATE FOR THE
PETITIONER(S)

VERSUS

Union of India & Ors.

RESPONDENT(S)

Mr. J. AL. Sarkar, Railway Counsel

ADVOCATE FOR THE
RESPONDENT(S)

THE HON'BLE MR. JUSTICE D.N. BARUAH, VICE-CHAIRMAN

THE HON'BLE SHRI G.L. SANGLYINE, ADMINISTRATIVE MEMBER.

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether the Judgement is to be circulated to the other Benches?

Judgement delivered by Hon'ble Vice-Chairman



CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

Original Application No. 19 of 1997.

Date of decision : This the 2nd day of September, 1998.

HON'BLE MR. JUSTICE D.N. BARUAH, VICE-CHAIRMAN.

HON'BLE SHRI G.L.SANGLYINE, ADMINISTRATIVE MEMBER.

Shri Pradip Kumar Dey
Son of late Manindra Kumar Dey
Pointsman/B under Station Superintendent,
N.F.Railway, Pandu,
Ferry Ghat Colony,
Guwahati-781012

.....Applicant

By Advocate Mr. M.Chanda.

-Versus-

1. General Manager,
N.F.Railway,
Maligaon,
Guwahati-781011
2. Divisional Railway Manager,
N.F.Railway,
Lumding, Nowgaon,
Assam
- 3 Senior Divisional Superintendent,
N.F.Railway, Lumding,
Nowgaon, Assam

.....Respondents

By Advocate Mr. J.L. Sarkar, Railway Counsel.

O R D E R

BARUAH J. (V.C.)

This application has been filed by the applicant seeking certain directions to the respondents. His main grievance is the non-consideration of his promotion since 1979. Last selection was held in the year 1995 for the post of Ticket Collector but he was not considered

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without any reason. According to him he was very much within the zone of consideration. Hence the present application.

2. We have heard Mr. M.Chanda, learned counsel appearing on behalf of the applicant and Mr. J.L.Sarkar, Railway Counsel, appearing on behalf of the respondents.

3. Mr. Chanda submits that the case of the applicant has been overlooked all the time ignoring his promotion. In the month of November, 1995 when the selection was held for the post of Ticket Collector the applicant was most unreasonably ignored from consideration. This was accordingly to Mr. Chanda not only arbitrary but also unfair.

4. Mr. Sarkar on the other hand submits that the application itself is vague and not specific and therefore the application should be dismissed in limine.

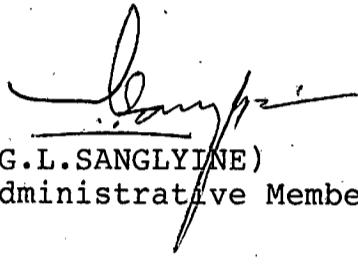
5. Considering the submissions of both sides we are of the opinion that it will be proper if the applicant approaches the respondents by filing a fresh representation giving details of his grievances within a period of 7 days from the date of receipt of the copy of this order and the respondents shall consider the representation and dispose of by giving a reasoned order within a period of 2 months from the date of

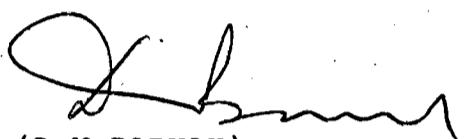


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receipt of the copy of the order. The application is disposed of.

5. Considering the facts and circumstances of the case, we, however, make no order as to costs.


(G.L. SANGLYINE)
Administrative Member


(D.N. BARUAH)
Vice-Chairman

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