

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A.No. 61 of 1997.

DATE OF DECISION.....3-5-1999.....

Sri Rabin Deka (PETITIONER(S))

Smt B.Dutta Das. ADVOCATE FOR THE
PETITIONER(S)

-VERSUS-

Union of India & 25 others. RESPONDENT(S)

Sri J.L.Sarkar, Railway counsel. ADVOCATE FOR THE
RESPONDENTS.

THE HON'BLE JUSTICE SHRI 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 Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman.



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CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 61 of 1997.

Date of Order : This the 3rd Day of May, 1999.

Justice Sri D.N. Baruah, Vice-Chairman.

Shri G.L. Sanglyine, Administrative Member.

Shri Rabin Deka,
Head Master, Netaji Vidyapith,
Railway H.S. School,
Maligaon, Guwahati-11. . . . Applicant.

By Advocate Ms B. Dutta Das.

- Versus -

Union of India and 25 others. . . . Respondents.

By Advocate Sri J.L. Sarkar, Railway
standing counsel for respondents
No. 1, 2 & 3.
None for the other respondents.

O R D E R

BARUAH J. (V.C)

This application has been filed by the applicant seeking certain directions. The facts are :


The applicant was originally appointed Teacher in the Railway School. He was subsequently promoted to the post of Head Master. But His seniority in the grade of Teacher was ~~being~~ disputed by the applicant. He submitted representation and the same was disposed of rejecting the claim of the applicant. Against that the applicant has filed this application.

2. In due course the official respondents have entered appearance and filed written statement. We have heard Ms B. Dutta Das, learned counsel for the applicant and Mr J.L. Sarkar, learned Railway standing counsel for respondents No. 1, 2 and 3. Ms Das submits that on the strength of the interim order the applicant is still continuing in the

post of Head Master. Ms Das also produced a copy of Office Order No. 25/98(SCHOOL) dated 24.12.1998 issued by the General Manager(P), N.F.Railway, Maligaon by which the applicant was promoted to the post of Principal. Mr Sarkar also submits that the applicant being a member of the Scheduled Tribe entitled to get the promotion as per the roster. Mr Sarkar further submits that the applicant was promoted to the post of Principal on ad hoc basis and he has already taken over charge. He also submits that as per his information he is not likely to be disturbed from his post as he has been promoted on ad hoc basis treating him as Scheduled Tribe candidate. On hearing the counsel for the parties we find that the grievance of the applicant has since been taken care of. Therefore, we do not find any reason to proceed with the case further. Accordingly the application is disposed of. However, we make it clear that if in future the position of the applicant is disturbed, he may approach this Tribunal.

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


(G.L.SANGLYINE)
ADMINISTRATIVE MEMBER


(D.N.BARUAH)
VICE CHAIRMAN