

Central Administrative Tribunal  
Jabalpur Bench

Camp at Gwalior

OA No.494/06

Gwalior, this the 7th day of November, 2006.

C O R A M

Hon'ble Dr.G.C.Srivastava, Vice Chairman  
Hon'ble Shri A.K.Gaur, Judicial Member

K.K.Kamtariya  
S/o Shri Nihal Singh  
Senior Goods Guard  
C/o Station Manager  
Guna Railway Station  
Guna (M.P.)

Applicant

(By advocate Shri N.L.Raipuriya)

Versus

1. Union of India through  
Secretary, Ministry of Railway  
Rail Bhavan, New Delhi.

2. General Manager, Western  
Central Railway, Jabalpur.

3. Divisional Railway Manager  
Habibganj, Bhopal.

Respondents

(By advocate Shri Raja Sharma)

O R D E R (oral)

(By Dr.G.C.Srivastava, Vice Chairman)

This OA has been filed praying for the following

reliefs:

(i) The applicant may be promoted w.e.f. 1.11.2003  
to the post of passenger guard in the pay scale  
of Rs.5000/- to 8000/- with all benefits.

2. The applicant's grievance is that according to the  
Railway Board's instructions for re-structuring, the  
post of passenger guard which became vacant on 1.11.03  
ought to be filled up strictly according to the seniority.  
Ignoring this instruction, 15 Senior Goods Guards and  
6 Goods Guards who are junior to the applicant have been  
promoted on 25.1.05. The claim of the applicant is that  
he should have been promoted according to his seniority  
w.e.f. 1.11.03 on account of re-structuring. He has

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submitted a representation dated 25.6.2005 (A-8) to the Divisional Railway Manager, Bhopal but he has not received any response from the authorities so far.

3. Learned counsel for the applicant stated that the applicant would be satisfied if the authorities are directed to consider his representation and pass suitable orders within a specified period.

4. Accepting this prayer, we direct respondent No.3 D.R.M. Bhopal to consider the representation of the applicant (A-8) and pass a detailed and reasoned order within a period of two months from the date of receipt of this order. If the applicant is entitled to any relief, that may also be given within this specified period. It be noted that we have not considered the OA on merits. We have heard Shri Rajan Sharma, counsel for the respondents also.

With the above direction, the OA is disposed of.

*Anujan*  
(A.K.Caur)  
Judicial Member

*G.C.S.*  
(Dr.G.C.Srivastava)  
Vice Chairman

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