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CENTRAL ADMINISTRATIVE TRIBUNAL,
JABALPUR BENCH,
JABALPUR

Original Application No. 537 of 2006

Jabalpur, this the 18th day of August, 2006

Hon'ble Shri A.K. Gaur, Judicial Member

Prahlad Shelar, aged about 38 years,
S/o. Shri P.D. Shelar, R/o. Cinema Road,
Asti Ward-1, Damoh, District Damoh (MP),
Presently residing at 363/C, Loco Colony,
Pink Building, Raipur, District Raipur (CG),
Occupation-JE-1, permanent way (P.Way),
South Eastern Central Railway, (SECR) Raipur,
Under the office of Senior Section Engineer
(P.Way), South Eastern Central Railway,
Distt. Raipur (CG).

Applicant

(By Advocate – Shri Shobhit Aditya)

V E R S U S

1. Union of India, through the
Secretary, Department of Railways,
Ministry of Railway, Rail Bhawan,
New Delhi.
2. Chief Engineer,
South Eastern Central Railway,
Head Quarters Office, Bilaspur,
District Bilaspur (CG).
3. Senior Divisional Engineer (Sr. DEN(I)),
South Eastern Central Railway,
Headquarters Office, Bilaspur,
District Bilaspur (CG).
4. Chief Personnel Officer,
South Eastern Central Railway,
Headquarters Office,
Personnel Department, Bilaspur,
District Bilaspur (CG).
5. Senior Personnel Officer,
South Eastern Central Railway,
Headquarter office,

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Personnel Department, Bilaspur,
District Bilaspur (CG).

6. Divisional Personnel Officer,
South Eastern Central Railway,
Headquarters Office,
Personnel Office, Raipur,
District Raipur (CG). Respondents

(By Advocate – Shri M.N. Banerjee, Standing counsel for the
Railways)

O R D E R (Oral)

I have heard Shri Shobhit Aditya learned counsel for the applicant and Shri M.N. Banerjee, Standing counsel for the Railways appearing for the respondents.

2. By means of this Original Application the applicant has prayed for quashing the order dated 18.4.2006 (Annexure A-10) by which the order dated 27.6.2005 has been maintained. The applicant has also prayed for direction to be issued to the respondents to consider the applicant for promotion as JE-I with effect from 7.11.2006 with all consequential benefits. He has already preferred a representation dated 28.4.2006 and vide order dated 19.7.2006 the said representation has been rejected and the earlier decision remained stand good. Vide order dated 18.4.2006 the Senior Personnel Officer modified the order in respect of one Shri Deepak Kumar against whom the earlier orders were passed and have been modified later. The applicant has not at all challenged the said order and he has also not made any representation in respect thereof.

3. Having heard learned counsel for the parties, I am of the considered view that the grievance of the applicant would be redressed if a direction is issued to the respondent No. 2 to consider and decide the representation of the applicant by a reasoned and speaking order.

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4. Accordingly, I direct the applicant to prefer a fresh representation within a period of two weeks from today. If such a representation is preferred before the respondent No. 2 he shall consider and decide the same by a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. Be it noted that I have not expressed any opinion on the merits of the case.

5. With the aforesaid observation the Original Application is disposed of at the admission stage itself. A copy of this order and the Original Application be given to Shri M.N. Banerjee, Standing counsel for the Railways appearing for the respondents for compliance of this order.

(A.K. Gaur)
Judicial Member

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प्राप्तिक्रम सं. ओ/न्या..... जवलपुर, दि.....
प्रतिलिपि अबो दिन:—
(1) सहित, उच्च न्यायालय द्वारा उत्तरोदाहरण, जवलपुर
(2) आकेशक श्री/श्रीमती/कु..... ने काउंसल
(3) प्रत्यादी श्री/श्रीमती/कु..... ने काउंसल
(4) गंगापाल, कोप्रा.।, जवलपुर न्यायपीठ
सूचना एवं आवश्यक कार्यवाही हेतु

M.N. Banerjee
DN 238

*22-8-06 (With copy of
Publ. in L. B.)*

I Hnd
on 22.8.06

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