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**Central Administrative Tribunal
Jabalpur Bench**

OA No. 719/06

Jabalpur, this the 30th day of October 2006.

CORAM

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

Anil Kumar Tiwari
Son of Shri Kallooram Tiwari
Painter, Grade-I
TRS New Katni.
R/o New Katni
Near Ramkumar Shiksha Niketan
Katni (M.P)

Applicant

(By advocate Shri H.S.Verma)

Versus

1. Union of India
Through General Manager
West Central Railway
Jabalpur.
2. General Manager
West Central Railway
GM's Office
Jabalpur.
3. Divisional Railway Manager
West Central Railway
DRM's Office
Jabalpur.
4. Ashok Kumar
S/o Ramdas
Blacksmith Grade-I
Through Sr.DEE TRS
New Katni (M.P)

Respondents.

(By advocate Shri M.N.Banerjee)

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ORDER

By Dr.G.C.Srivastava, Vice Chairman

This OA has been filed seeking the following reliefs:

- (i) Direct the respondents to promote the applicant as Painter Grade -I from 19.10.2005 i.e from the date his junior was promoted.
- (ii) Direct respondent No.3 to carry out the necessary amendment to the date of promotion as Painter Grade-II instead of 12.4.2004 to 21.8.2002.
- (iii) Direct the respondents to grant seniority from 19.10.2005 as Painter Grade-I as already allowed to respondent No.4 Shri Ashok Kumar and pay the arrears from 19.10.2005 to 16.5.2006.

2. Learned counsel for the applicant submitted that the applicant being senior to respondent No.4 should have been promoted before him, but despite representations submitted by him, the authorities have not considered his grievance.

3. Learned counsel for the applicant further submitted that applicant would be satisfied if the authorities are directed to consider the representation of the applicant and decide it within a specified time period by a speaking and detailed order.

4. Heard Shri M.N.Banerjee, learned standing counsel for the Railways also.

5. Accepting this prayer, we direct the respondents to consider the representations submitted by the applicant (A-10 & A11) and legal notice (A-12) ^{passed by him} and pass appropriate orders thereon and communicate the same to him within a period of three months from the date of receipt of this order.

6. Be it noted that we have not considered the case on merits.

7. With these directions, the OA is disposed of.

(A.K.Gaur)
(A.K.Gaur)
Judicial Member

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

aa. पृष्ठांकन सं ओ/न्या.....जबलपुर, दि.....
प टिपितिपि अन्ते दितः—
(1) सचिव, उक्त न्यायालय नगर एलुमिनियम, जबलपुर
(2) आदेशार्थी श्री/श्रीमती/शु.....के काउंसल
(3) प्रत्यर्थी श्री/श्रीमती/शु.....के काउंसल
(4) बंधुमाला, को.प्र.अ., जबलपुर न्यायालय
सूचना एवं आचरण कार्यकारी सेवा
उप रजिस्ट्रार

H.S. Verma ADV
M.N. Banerjee
Adv

11/11/06