

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No.266 of 2000

Jabalpur, this the 12th day of March, 2003.

Hon'ble Mr. Justice N.N. Singh- Vice Chairman  
Hon'ble Mr. R.K. Upadhyaya- Member (Admnv.)

Vishnu Dayal, aged about 36 years,  
S/o Shri Anokhilal, Working as Helper  
(Khalasi) in the office of Senior  
Engineer, Tower Wagon Section,  
Central Railway, Itarsi, M.P.

-APPLICANT

(By Advocate- Mrs. Asha Rani Sharma)

Ver sus

1. Union of India through  
the Chairman, Railway Board,  
Rail Bhawan, New Delhi.
2. The General Manager,  
Central Railways, Chhatrapati  
Shivaji Terminus, Mumbai,  
Maharashtra.
3. The Divisional Railway Manager,  
Central Railways, Bhopal, M.P.

-RESPONDENTS

(By Advocate- Mr. S.P. Sinha)

O R D E R (ORAL)

This application has been filed by the applicant, who is working as Helper (Khalasi) claiming a direction for his promotion to the post of Tower Wagon Driver. The applicant claims that he has been discharging the duties of Tower Wagon Driver since October 1995. Therefore, he is entitled for the promotion as well as consequential benefits thereon.

2. The applicant has further stated that he was initially appointed on compassionate grounds on the post of Helper (Khalasi) on 23.12.1989. He was sent for the Training on General and Safety Rules, which is a

Contd...P/2.

*(Signature)*

5. It is regretted that ~~counsel~~<sup>of</sup> the applicant has not placed the relevant rules for the promotion to the post of ~~Tower~~ Wagon Driver for perusal of this Tribunal. It would have been desirable that the learned counsel for the respondents was properly briefed by the respondents alongwith relevant rules on the subject. We expect that in future some such arrangements will be made by the respondents. The learned counsel for the applicant expressed inability in producing any such rules, as according to her such rules are not accessible to the applicant. In our opinion, this application being premature deserves to be rejected at this stage, in view of the reply of the respondents, The applicant has also not shown to us that any selection has been made after the applicant acquired the eligibility for being considered for promotion. In case, any selection is made in future, the applicant will be free to offer himself for being considered for trade test in terms of the reply dated 7.9.1998 (Annexure R-3) filed by the respondents.

6. In view of our observations in the preceding paragraph, this application is disposed of without any order as to costs.

*(R.K. Upadhyaya)*

(R.K. Upadhyaya)  
Member (Admnv.)

*(N.N. Singh)*

(N.N. Singh)  
Vice Chairman

'MA'

...

पृष्ठांकन सं ओ/न्या.....जबलपुर, दि.....

प्रतिलिपि वांछित:-

(1) न्यायाधीश, न्यायिक प्रशासन, जबलपुर

(2) न्यायाधीश, न्यायिक प्रशासन, जबलपुर

(3) न्यायाधीश, न्यायिक प्रशासन, जबलपुर

(4) न्यायाधीश, न्यायिक प्रशासन, जबलपुर

सूचना एवं आदेशों के कार्यवाही हेतु

*(Signature)*  
उप-सचिव  
20/8/03

Issued  
21.3.03  
28

*(Signature)* m. v. Verman, Adm. Acl.  
S. P. Sinha, Adm.