

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH.

CIRCUIT COURT SITTING AT BILASPUR (CHHATTISGARH)

Original Application No. 390 of 2000

Bilaspur, this the 25th day of September, 2003

Hon'ble Shri Justice V.S. Aggarwal, Chairman

Hon'ble Shri Anand Kumar Bhatt, Administrative Member

1. Anil Singh, S/o. Sri R.P. Singh,
Aged - 30 years, employed as D.M.
Gr. III, Diesel Loco Shed, S.E. Rly.
Raipur (M.P.).
2. G.S. Rao, S/o. Sri G.V.S.H. Rao,
aged - 32 years, employed as D.M.
Diesel Loco Shed, S.E. Railway,
Raipur, (M.P.).
3. Saiyed Hussain, S/o. Sri S.M. Badsha,
aged - 29 years, employed as D.M. Gr.
III. Diesel Loco Shed, S.E. Railway,
Raipur, (M.P.).
4. Sant Ram, S/o. Sri Heera Lal,
aged 31 years, employed as D.M.
Diesel Loco Shed, S.E. Railway,
Raipur, (M.P.).
5. B.K. Joshi, S/o. Guha Ram,
aged - 29 years, employed as D.M.
Diesel Loco Shed, S.E. Railway,
Raipur, (M.P.).
6. P.K. Razak, S/o. Shri _____
Aged 30 years, employed as D.M.,
Diesel Loco Shed, S.E. Railway,
Raipur, (M.P.).
7. Ajay Kumar Pandey, S/o. Sri
R.K. Pandey, aged - 29 years,
employed as D.M., Diesel Loco Shed,
S.E. Railway, Raipur (M.P.).
8. V.K. Tiwari, S/o. H.P. Tiwadi,
aged - 30 years, employed as D.M.
Diesel Loco Shed, S.E. Railway,
Raipur, (M.P.).

... Applicants

(By Advocate - None)

V e r s u s

1. Union of India, represented by
General Manager, S.E. Rly.
Garden Reach, Calcutta-43.
2. Divisional Railway Manager,
S.E. Rly., DRM - Office,
Railway Settlement, Bilaspur, (M.P.).

3. Sr. Divisional Personnel Officer,
S.E. Rly, DRM Office, Rly. Settlement,
Bilaspur, (M.P.).

... Respondents

(By Advocate - Shri M.N. Banerjee)

O R D E R (Oral)

Justice V.S. Aggarwal -

None for the applicants.

2. By virtue of the present petition the applicants sought the following reliefs :

"(i) The promotional proceeding carried out neither to in contravention of all extent rules, as well as, in sheer discrimination against applicants, violating article 14 of the Constitution be quashed.

(ii) The respondents ~~to~~ may be directed to rearrange the promotional process for the post of Driver Assistant in approved and regular manner, prescribed for departmental promotion to eligible staff of Diesel shed only within their normal channel of promotion to Running group to the extent of 25% of annual requirement, restraining them to any further prosecute the wrongs to a finality, prejudicially affecting the applicants.

(iii) The cost of suit may be awarded to the applicant.

(iv) Any other relief, which the hon'ble Tribunal deem just and equitable in the circumstances of the case, may be granted."

3. During the course of submission the learned counsel for the respondents pointed that the applicants ^{have} ~~represented~~ on 10th April, 2000 vide Annexure A-1 claiming the reliefs and simultaneously filed the present Original Application on 5th May, 2000, without the representation having been considered and decided. The respondents' counsel intimated that since the OA was pending in this Tribunal, the respondents did not take any decision on the representation.

4. Keeping in view these facts, we are disposing of the present application directing the Sr. Divisional Personnel Officer at Raipur to consider the representation and pass a speaking order and convey to the applicant, preferably within

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(V.S. Aggrawal)
Chairman

(1) शक्ति, सत्य, न्याय, धर्म एवं अहिंसा, जबलपुर
(2) अहिंसा, सत्य, न्याय, धर्म एवं अहिंसा, को काठमांडू
(3) अहिंसा, सत्य, न्याय, धर्म एवं अहिंसा, को काठमांडू
(4) अहिंसा, सत्य, न्याय, धर्म एवं अहिंसा, को काठमांडू

I. K. Dwivedi - Add
MN - Banerjee - Add

6/16/03

Received.
7/10/03