

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORIGINAL APPLICATION NO. 166/2008

Date of order: 29.01.2010

CORAM:

**HON'BLE DR. K.S. SUGATHAN, ADMINISTRATIVE MEMBER
HON'BLE DR. K.B. SURESH, JUDICIAL MEMBER**

1. Hazari Lal Meena son of Shri Mangi Lal Meena, aged about 43 years, presently working as Head Clerk in the pay scale 5000-8000, in establishment branch, C/o DRM office, North Western Railway, Jaipur, in establishment branch, C/o DRM office, North Western Railway, resident of Jaipur.
2. Ganesh Lal Vishwakarma son of Shri Bulaki Ram, aged about 37 years, presently working as Senior Clerk in the pay scale 4500-7000 in establishment branch C/o DRM office, North Western Railway, Jaipur, resident of plot no. 381, Udhog Nagar, Jaipur.

...Applicants.

Mr. Saugath Roy, counsel for the applicants.

VERSUS

- (1). The Union of India through General Manager, North Western Railway, Hasan Pura Road, Jaipur.
- (2). The Divisional Railway Manager (Establishment), North Western Railway, Power House Road, Jaipur.
- (3). Shri Hari Kishan Gautam, Head Clerk in establishment branch, C/o DRM office, North Western Railway, Jaipur.

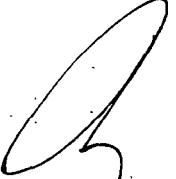
... Respondents.

Mr. Hawa Singh, counsel for respondents.

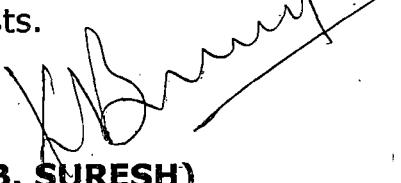
ORDER

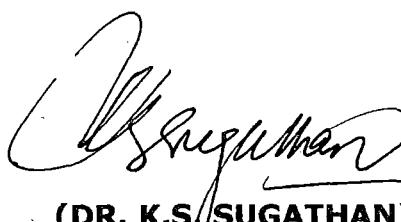
(Per Hon'ble Dr. K.S. Sugathan, Administrative Member)

This Original Application is filed by the applicants seeking quashing of appointment of respondent no. 3 on the post of Head Clerk vide order dated 16.08.2007 on the ground that the said redeployment adversely affected the promotion prospects of the applicants. The applicants also contended that one of them had earlier filed O.A. No. 134/2008 before this Bench of the Tribunal which was disposed of vide order dated 16th April, 2008 with a direction to treat the OA as representation and pass a reasoned and speaking order within a period of two months. However, it is submitted by the counsel for the applicant that no speaking order has been passed so far. Instead they have issued another order on 02.05.2008 redeploying some more medically decategorised persons in the Establishment Wing. Such redeployment, according to the applicants, adversely affects their promotion chances. The respondents' counsel has not been able to explain why no reasoned and speaking order was passed in response to the directions given by this Bench of the Tribunal in the O.A. No. 134/2008 (supra). Considering the submissions made by the rival counsels, it is considered appropriate to further direct the respondents to consider this Original Application as representation and take appropriate decision.



2. In view of the above, the Original Application is disposed of with a direction to the respondents to treat this O.A. as a representation and take appropriate decision and communicate it by way of a reasoned speaking order within a period of two months from the date of receipt of copy of this order. No order as to costs.


(DR. K.B. SURESH)
JUDICIAL MEMBER


(DR. K.S. SUGATHAN)
ADMINISTRATIVE MEMBER

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