

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH**

ALLAHABAD

This is the **21TH day** of **August, 2018.**

HON'BLE MR GOKUL CHANDRA PATI, MEMBER (A).
HON'BLE MR RAKESH SAGAR JAIN, MEMBER (J).

ORIGINAL APPLICATION NO. 330/00813/2018

1. Karan Pathak Rahul aged about 25 years S/o Shri Sanjay Kumar Pathak, Sr. Assistant Loco Pilot. Under Senior Crew Controller (Op), North Central Railway, Allahabad.
2. Santosh Kumar age about 29 years S/o Shri Kamlesh Prasad Singh, Sr. Assistant Loco Pilot, Under Senior Crew Controller (Op), North Central Railway, Allahabad.
3. Prashant Kumar age about 30 years S/o Shri Jitendra Kumar, Sr. Assistant Loco Pilot, Under Senior Crew Controller (Op), North Central Railway, Allahabad.

.....Applicants.

VERSUS

1. Union of India through General Manager, North Central Railway, Headquarters Office, Subedarganj, Allahabad.
2. General Manager, North Central Railway, Headquarters Office, Subedarganj, Allahabad.
3. Divisional Railway Manager, North Central Railway, Nawab Yusuf Road, Allahabad.
4. Senior Divisional Electrical Engineer (Operation), North Central Railway, Nawab Yusuf Road, Allahabad.
5. Senior Divisional Personnel Officer, North Central Railway, Nawab Yusuf Road, Allahabad.
6. Shri Vishwjeet Kumar S/o Shri Kishori Lal, Sr. Assistant Loco Pilot, Under Senior Crew Controller (Op), North Central Railway, Allahabad.

7. Shri Chandra Kishor Bharti S/o Loknath Sah, Sr. Assistant Loco Pilot, Under Senior Crew Controller (Op), North Central Railway, Allahabad.

8. Shri Shailendra Kushwah S/o Chandrika Kushwaha, Sr. Assistant Loco Pilot, under senior crew controller (Op), North Central Railway, Allahabad.

.....Respondents

Advocates for the Applicants: Shri P. K. Mishra
Shri Rajesh Kumar

Advocate for the Respondents : Shri S. M. Mishra

ORDER

(Delivered by Hon'ble Mr. Gokul Chandra Pati, Member-A)

Heard Shri P. K. Mishra with Rajesh Kumar, learned counsel for the applicants. There is illness slip of Shri Shesh Mani Mishra, learned counsel for the respondents.

2. Learned counsel for the applicants submits that grievance of the applicants is that vide order dated 13.08.2018 (A-1) the names of the applicants have been omitted from the eligibility list for consideration for promotion to the post of Loco Pilot, although their names were earlier there as per the list annexed as annexure A2. His prayer for an interim relief not to go ahead the promotion till the representation dated 10.08.2018 of the applicants is decided.

3. Learned counsel for the respondents Shri Shesh Mani Mishra has sent illness slip but in view of urgency as stated by the applicants' counsel, we are of the view that, it would be appropriate to give a direction to respondent No. 2 to decide the representation dated 10.08.2018 of the applicants (Annexure 6) in the light of the Provisions

of the IREM by passing a reasoned and speaking order within reasonable time.

4. Accordingly, O.A. is disposed of at admission stage with direction to respondent No.2/competent authority to decide the representation dated 10.08.2018 of the applicant by passing a reasoned and speaking order within a period of three months from the date of receipt of certified copy of this order, till disposal of the representation the authority may go ahead with promotion to Loco Pilot (Goods) based on the impugned order dated 13.08.2018 (Annexure A-I) keeping three posts vacant till disposal of the representation by the respondent No. 2/competent authority as per this order.

5. With this direction, the OA stands disposed of at the admission stage itself. No order as to costs.

(RAKESH SAGAR JAIN)
MEMBER-J

(GOKUL CHANDRA PATI)
MEMBER-A

/Shashi/