

*(OPEN COURT)*

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
BENCH**

**ALLAHABAD**

This is the 21<sup>TH</sup> day of *August, 2018*.

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

**ORIGINAL APPLICATION NO. 330/00814/2018**

Jyotir Moy Nandi, S/o Late A. N. Nandi, aged about 61 years, resident of M.I.G/Type-III, B-16, A.D.A. Colony, Naini, District – Allahabad.

.....Applicant.

**VERSUS**

1. Union of India through General Manager, Railway Electrification Core, Nawab Yusuf Road, Allahabad.
2. Divisional Railway Manager, North Central Railway, Allahabad.
3. Senior Divisional Personal Officer, North Central Railway, Allahabad.

.....Respondents

Advocates for the Applicant : Shri Dharmendra Tiwari

Advocate for the Respondents : Shri G. K. Tripathi  
Shri S. M. Mishra

**ORDER**

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

Heard Shri Dharmendra Tiwari, learned counsel for the applicant and Shri G. K. Tripathi, learned counsel for the respondent No. 1. There is illness slip of Shri Shesh Mani Mishra, counsel for the respondent Nos. 2 and 3.

2. Learned counsel for the applicant submits that grievance of the applicant is that he was promoted on 13.11.2017 from the post on T.G.III to T.G.II and before his retirement on November, 2017 he had joined the said post. But after retirement, the P.P.O. shows his post as T.G. III, instead of T.G.II and the benefit of the promotional post has not been extended by the respondents. He further submitted that the impugned order dated 13.06.2018 rejecting the representation of the applicant is a non speaking and cryptic order (Annexure A-I).

3. In view of the submissions made by the counsel for the applicant, the O.A. is disposed of at this stage with a direction to the applicant to submit a fresh representation with necessary justification to the Respondent No. 1 against the impugned order dated 13.06.2018 (Annexure A-I) within 15 days. On submission of such representation Respondent No. 1/competent authority shall consider the same as per the existing rules/guidelines of Railway Board and pass a reasoned and speaking order within a period of two months from the date of receipt of representation of applicant and communicate the same to the applicant. In case it is decided by the competent authority that the applicant is eligible to get the benefit of promotional scale, then differential retiral dues shall also be paid to the applicant as per the rules.

4. The O.A. is disposed of at admission stage as above. It is made clear that no opinion has been expressed in this order about merit of the case. No order as to costs.

(RAKESH SAGAR JAIN)  
MEMBER-J

(GOKUL CHANDRA PATI)  
MEMBER-

/Shashi/