

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL**

**ALLAHABAD BENCH ALLAHABAD**

Dated: This the 29<sup>th</sup> day of August 2018.

**PRESENT:**

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

**Original Application No. 330/00842 of 2018**

1. Rahul Kumar age about 28 years, S/o Shri Bhagirath Prasad, Sr. Assistant Loco Pilot, C/o Senior Crew Controller (Op), North Central Railway, Allahabad.
2. Chandan Yadav aged about 29 years, S/o Shri Pyarey Lal Yadav, Sr. Assistant Loco Pilot, C/o Senior Crew Controller (Op), North Central Railway, Allahabad.
3. Ravi Shankar age about 34 years S/o Shri Basant Lal, Sr. Assistant Loco Pilot, C/o Senior Crew Controller (Op), North Central Railway, Allahabad.
4. Kamlesh Kumar age about 28 years, S/o Shri Ramji Singh, Sr. Assistant Loco Pilot, C/o Senior Crew Controller (Op), North Central Railway, Allahabad.
5. Ravi Ranjan age about 33 years, S/o Shri Barbdeshwar Rai, Sr. Assistant Loco Pilot, C/o Senior Crew Controller (Op), North Central Railway, Allahabad.
6. Sumit Kumar Srivastava, age about 30 years, S/o Shri Ashok Kumar Srivastava, Sr. Assistant Loco Pilot, C/o Senior Crew Controller (Op), North Central Railway, Allahabad.
7. Mahesh Kumar Lodhi, age about 30 years, S/o Shri Chhotey Lal Lodhi, Sr. Assistant Loco Pilot, C/o Senior Crew Controller (Op), North Central Railway, Allahabad.
8. Pushpendra Singh age about 31 years S/o Shri Gulab Singh, Sr. Assistant Loco Pilot, C/o Senior Crew Controller (Op), North Central Railway, Allahabad.
9. Sumit Kumar Anand age about 29 years, S/o Shri Shiv Shankar Ram, Sr. Assistant Loco Pilot, C/o Senior Crew Controller (Op), North Central Railway, Allahabad.
10. Amit Kumar Anand age about 28 years, S/o Shri Prem Chandra Akela, Sr. Assistant Loco Pilot, C/o Senior Crew Controller (Op), North Central Railway, Allahabad.
11. Vijay Kumar age about 28 years, S/o Shri Ram Vilas Thakur, Sr. Assistant Loco Pilot, C/o Senior Crew Controller (Op), North Central Railway, Allahabad.

... . Applicants

By Adv: Shri Pradeep Kumar Mishra

V E R S U S

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. Assistant Personnel Officer-1, North Central Railway, DRM's office complex, Nawab Yusuf Road, Allahabad.
7. Shri Ravi Shankar Kumar S/o Sri Shadheshwar Prasad, Sr. Assistant Loco Pilot, C/o Senior Crew Controller (Op), North Central Railway, Allahabad.
8. Shri Brajesh Kumar Yadav 3 S/o Shri Mukhram Yadav, Sr. Assistant Loco Pilot, C/o Senior Crew Controller (Op), North Central Railway, Allahabad.
9. Shri Amit Kumar S/o Shri Ramshikil Singh, Sr. Assistant Loco Pilot, C/o Senior Crew Controller (Op), North Central Railway, Allahabad.

. . . Respondents

By Adv: Shri S.M. Mishra

**ORDER**

**BY HON'BLE MR.RAKESH SAGAR JAIN, MEMBER – J**

Heard Shri Pradeep Kumar Mishra counsel for the applicants and Shri S.M. Mishra counsel for the respondents.

2. Learned counsel for the applicants submits that grievance of the applicants is that vide order dated 13.8.2018 (Annexure A-1), the names of applicants have been omitted from the select list for consideration for promotion to the post of Loco Pilot Goods, although their names were earlier there as per the list annexed as Annexure A-2, for which they have already filed a representation.

3. Learned counsel for the applicants further submitted that the grievance of applicants might be redressed if the respondent No.2/competent authority is directed to dispose of his pending representation dated 20.8.2018 (Annexure A-6) and pass a reasoned and speaking order within a stipulated period of time. Their prayer for an interim relief not to go ahead the promotion till the disposal of representation dated 20.8.2018 (Annexure A-6) of the applicant is decided.

4. In view of the limited prayer made by the applicants but without commenting anything on the merits of the case, the OA is disposed of at the admission stage itself with direction to the respondent No.2/competent authority to consider and dispose of the representation of the applicants dated 20.8.2018 (Annexure A-6) in the light of the provisions of I.R.E.M, by passing a reasoned and order within a period of three months from the date of receipt of a certified copy of the order, copy of which shall be communicated to the applicants. Till the disposal of representation, the authority may go ahead with promotion to Loco Pilot (Goods) based on the impugned order dated 13.8.2018 (Annexure A-1) keeping eleven posts vacant in respect of applicants till disposal of the representation by the respondent No.2/competent authority as per this order. No order as to costs.

(RAKESH SAGAR JAIN)

MEMBER – J

(GOKUL CHANDRA PATI)

MEMBER –A

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