

**Central Administrative Tribunal
Principal Bench**

OA No. 2110/2015

New Delhi this the 18th day of September, 2015

**Hon'ble Mr. A.K. Bhardwaj, Member (J)
Hon'ble Dr. B.K. Sinha, Member (A)**

Sunil Kumar Goyal,
Aged 59 years,
S/o Shri Hari Shankar Agarwal,
R/o 8, Railway Officers Enclave,
Sardar Patel Marg,
New Delhi

Posted as Chief Electrical Engineer Northern Railway
(Applicant in person)

VERSUS

1. Union of India through
Secretary,
Railway Board, Ministry of Railways,
New Delhi-110001
2. Shri A.K. Mittal,
Chairman, Railway Board,
Rail Bhawan, New Delhi-110001
3. Shri Man Singh,
Additional Member, Electrical,
Ministry of Railways,
Railway Board, New Delhi-110001 -Respondents

(By Advocates: Shri Rajinder Nischal for respondent nos. 1 & 2 and Shri Mayank Joshi for respondent no.3.)

ORDER (Oral)

By Mr. A.K. Bhardwaj, Member (J):

The prayer made in the present OA filed under Section 19 of the Administrative Tribunals Act, 1985 read thus:-

- “i) Impugned orders of Shri Man Singh be quashed and Government be directed to reconsider the case of the applicant for promotion to the post of Additional Member and if after reconsideration, applicant is considered fit for promotion, necessary effect for promotion may be directed to be given with effect from the date the post of Additional Member Electrical became vacant or such other date as the Hon’ble Tribunal considers appropriate with all consequential benefits.
- ii) Pass any other orders or directions as may be deemed fit and proper in the interest of justice.”

2. Mr. Rajinder Nischal, learned counsel for the respondents, raised a preliminary objection that before approaching the Tribunal, the applicant has not made any representation, thus the OA is premature. Nevertheless it is also his stand that the applicant may now make a representation and the respondents would decide the same within one month. The applicant also concedes the stand taken by the respondents and undertakes to make a representation to the respondents within one week. If the representation is made within the time suggested by the applicant, the respondents would decide the same within three weeks thereafter, by way of a detailed and reasoned order under intimation to the applicant. The OA stands disposed of. It goes without saying that in the event the grievance of the applicant still subsists, it would be open to

him to work out his claim in accordance with law. No costs.

(Dr. B.K. Sinha)
Member (A)

(A.K. Bhardwaj)
Member (J)

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