

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

MA/310/00444/2018 in & OA/310/00939/2018

Dated Friday the 10th day of August Two Thousand Eighteen

PRESENT

**HON'BLE MRS. JASMINE AHMED, Member (J)
&
HON'BLE MR. R. RAMANUJAM, Member (A)**

Sri. T.S.G.Balajilal,
No. 25/2, 8th Street,
Rajamangalam,
Villivakkam,
Chennai 600049.Applicant

By Advocate M/s. A. Swaminathan

Vs

Union of India rep by,
1. The Sr. DPO,
Divisional Head of Personnel Department,
Divisional Office, Personnel Branch,
Chennai Dn, S. Rly,
Chennai 3.

2. APO/Mechanical & S&T,
Divisional Head of Personnel Department,
Divisional Office, Personnel Branch, S.Rly,
Chennai Dn, Chennai 3.Respondents

By Advocate Mr. P. Srinivasan

ORAL ORDER**(Pronounced by Hon'ble Mrs. Jasmine Ahmed, Member(A))**

Heard learned counsel for applicant. The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following relief :

" To declare that the respondents communication dt. 09.02.2018 in M/P1(M)535/VI/C&W/F/Sr.TECH rejecting the applicant's request to promote him as Sr. TECH/Fitter in Level 6 (GP 4200) is illegal and arbitrary and consequently direct the respondents to give notional promotion to the applicant as Sr. TECH/Fitter in level 6 (GP 4200) and rectify his retirement benefits based on the said post and disburse the difference benefits, arrears which he is entitled for Sr. TECH/Fitter in Level 6 (GP 4200) and pass such further or other orders as this Hon'ble Tribunal may deem it fit and proper in the circumstances of the case."

2. Learned counsel for the applicant states that the persons who were junior to the applicant in the provisional seniority list dt. 05.08.2016 have been given notional promotion after they retired. He states in his case, the respondents have not followed the procedure of giving him the notional promotion. He claims that the respondents should treat him similarly by giving him notional promotion by advancing the cut off date.

3. Mr. P. Srinivasan takes notice for the respondents.

4. We feel that the applicant should have agitated his grievance before the respondents first. Accordingly, the applicant is at liberty to prefer a representation to the respondents within a period of 15 days from the date of receipt of certified copy of this order and the respondents are directed to decide the representation in accordance

with law and pass a reasoned and speaking order within a period of two months from the date of receipt of the fresh representation along with the certified copy of this order.

5. Accordingly, OA is disposed of at the admission stage. Consequently, MA for condonation of delay stands disposed of.

(R.Ramanujam)
Member(A)

(Jasmine Ahmed)
Member(J)

10.08.2018

SKSI