

Central Administrative Tribunal
Patna Bench, Patna.
[Circuit Bench at Ranchi]

O.A 51/1064/2018

Date of Order:- 21.12.2018

C O R A M

Hon'ble Shri J. V. Bhairava, Member [J]
HON'BLE MR. PRADEEP KUMAR, MEMBER [A]

1. Durga Datt Choubey, aged about 39 years, S/o Shyam Vibhow Choubey, resident of 2nd floor, House No. 36, Montensarry School Lane, PO & PS-Boring Road, Patna-1 (Bihar).
2. Arvind Kumar Bharti, aged about 38 years, s/o Late ramchhapit Yadav, resident of Mahesh Wivager Road No. 1, PO-Keshari Nagar, PS-Patliputra, Patna-800024 (Bihar).

....Applicants

By Advocate : Shri M.A. Khan.

Vs.

1. The Union of India through Chief Administrative Officer, Rail Wheel Plant, PO-Arvind Nagar, Bela, District- Saran-841221.
2. Chief Mechanical Engineer (II), Rail Wheel Plant, PO- Arvind Nagar, Bela, District- Saran-841221.
3. Senior Personnel Officer, Rail Wheel Plant, PO-Arvind Nagar, Bela, District- Saran-841221.

..... Respondents.

By Advocate : Shri P.D. Singh.

O R D E R (ORAL)

Per J.V. Bairavia, M [J] :- Heard the parties. In the instant OA, the applicant has sought relief for issuance of a direction upon the respondents to consider the case of the applicants for promotion from Technician-I to Sr. Technician on the basis of seniority-cum-suitability. It is further prayed that promotion to SC/ST as well as UR candidates in their category. In addition to this,

applicants are also prayed for a direction upon the respondents to dispose of the representation dated 15.11.2018 and 29.11.2018 along with additional representation which will be filed after taking liberty from this Tribunal.

2 It is noticed that the applicants have submitted their representation and claimed their right to be considered for promotion. There is no material about any adjudication of their grievance by the respondents.

3 Learned counsel for the respondents appears on behalf of the respondents submitted that the OA is premature. If the representation submitted by the applicant found appropriate by the competent authority, then the same will be considered by the respondents as per rules. But without any consideration, the applicants cannot file OA straightway.

4 Considering the submission made by the parties, we are of the considered opinion that the present Original Application is premature. The representation of the applicant referred to hereinabove are pending for consideration before the competent authority. We expect that the same will be considered by the respondents in accordance with rule.

5. In view of the above, the OA is dismissed as premature.

[Pradeep Kumar]
Member (A)

[J. V. Bhairavia]
Member (J)

Pkl/

