

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00767/2019

Dated Monday the 24th day of June Two Thousand Nineteen

**CORAM : HON'BLE MR. R. RAMANUJAM, Member (A)
HON'BLE MR. P. MADHAVAN, Member (J)**

R. Murthy
Plot No. 45
4th Street, Balaji Nagar
Adambakkam, Chennai – 88.

... Applicant

By Advocate M/s Ratio Legis

Vs

1. Union of India represented by
The Chairman
Railway Board
Ministry of Railways
Govt. of India, New Delhi.

2. The Secretary/E
Railway Board
Ministry of Railways
Govt. of India, New Delhi.

3. The General Manager
Southern Railway
Park Town, Chennai 600 003. ... Respondents

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

Heard. The applicant wishes to challenge Annexure A7 impugned communication dt. 07/10.01.2019 by which his request for placement in Selection Grade w.e.f. 01.01.2009 had been rejected as he was assessed as unfit for placement in SG/IRSE in the panels approved on 09.09.2009 & 19.10.2011.

2. It is submitted that the applicant had not been informed of the reasons why he was found unfit in terms of a disclosure as to the minimum benchmark grading required and the years or the periods in which his performance was found to be below such benchmark. It is further submitted that the applicant had not been informed of below benchmark gradings at the relevant time so as to enable him to represent thereagainst and, therefore, such gradings ought not to have taken into account to assess his fitness or otherwise.

3. Learned counsel for the applicant would further submit that the applicant intended to obtain all the relevant details from the competent authority by filing an RTI application so as to be able to challenge the impugned order on a more informed basis. Accordingly, he would be satisfied if he is permitted to withdraw this OA with liberty to file a fresh OA after getting all relevant information, if

necessary. An endorsement has also been made in the OA records to this effect.

4. Keeping in view the above submission, the OA is permitted to be and is dismissed as withdrawn with liberty as sought.

(P. Madhavan)
Member(J)

(R. Ramanujam)
Member(A)

24.06.2019

SKSI