

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

Original Application No.020/0521/2019

Date of Order : 03.07.2019

Between :

K.Srinivasa Rao, S/o Sriramulu, aged about 46 years,
Working as Senior Technician in the O/o the
Senior Divisional Signal and Telecom Engineer,
South Central Railway, Guntur Division,
Pattabhipuram- 522006, Andhra Pradesh. ... Applicant.

And

1. Union of India,
Rep. by General Manager, South Central Railway,
III Floor, Rail Nilayam, Secunderabad, Telangana State.
2. Divisional Railway Manager, South Central Railway,
Guntur Division, Pattabhipuram, Guntur – 522006.
3. Senior Divisional Signal and Telecom Engineer,
South Central Railway, Guntur Division,
Pattabhipuram, Guntur – 522006, Andhra Pradesh.
4. Senior Divisional Personal Officer,
South Central Railway, Guntur Division,
Pattabhipuram, Guntur-522006, Andhra Pradesh.
5. Prakash Chandra Mandal, S/o not known to the applicant,
Working as Senior Technician under the office of
Senior Divisional Signal and Telecom Engineer,
South Central Railway, Guntur Division, Pattabhipuram,
Guntur – 522006, Andhra Pradesh.
6. B.Gobre Naik, S/o not known to the applicant,
Working as Senior Technician under the office of
South Central Railway, Guntur Division, Pattabhipuram,
Guntur – 522006, Andhra Pradesh. ... Respondents.

Counsel for the Applicant	...	Mr.P.Ramchander Rao, Advocate
Counsel for the Respondents	...	Mr.N.Srinatha Rao, S.C. for Rlys.

CORAM:

Hon'ble Mr.A.K.Patnaik	...	Member (Judl.)
Hon'ble Mr.B.V.Sudhakar	...	Member (Admn.)

ORAL ORDER

Mr.A.K.Patnaik, Judicial Member

Heard Mr.P.Ramachandra Rao, learned counsel for the applicant and Mr.N.Srinatha Rao, learned standing counsel appearing for the official respondents, in extenso.

2. This OA has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers :

“To call for the records pertaining to selection proceedings against the written test conducted on 05.06.2018 and 09.01.2019 for filling up of the vacancies of four posts (UR-03; SC-NIL; ST-01) of Junior Engineer (Signal) against 40% promotional quota in Guntur Division under South Central Railways and to set aside the written test result declared on 19.03.2019 of the Respondent No.4 and to declare the applicant as passed and qualified candidate on comparative merit on going through this selection proceedings and answer scripts of the candidates appeared after calling and production of such documents.”

3. Learned counsel for the applicant has brought to our notice that the applicant has been passed in the written examination and sent for field training. Subsequently the respondents have issued order dated 15.10.2018 declaring only two persons as qualified, in which the name of the applicant was not figured. The applicant has obtained the answer scripts through Right To Information Act and found that there are irregularities in evaluation. He submitted representations dated 23.05.2019 (Anx-1-7) and 25.05.2019 (Anx-A-8) to the respondents 1 and 2 respectively to reconsider the matter.

4. On the other hand Mr.N.Srinatha Rao, learned standing counsel for the respondents submitted that the applicant has not qualified in the examination and there is no illegality in denying promotion to the applicant.

5. However, we do not think that it will not be prejudicial to any sides, if an order is passed to consider the representation, if it is still pending with the respondents.

6. Accordingly, we direct the Respondent Nos.1 and 2 to consider and dispose of the representations which are enclosed as Annexures A-7 and A-8 to the OA, keeping in mind the information obtained by the applicant under RTI Act and communicate the result to the applicant within a period of four weeks from the date of receipt of the order. After such consideration, the grievance of the applicant is found to be genuine, necessary steps to be taken to consider the case of the applicant.

7. With the above said observation, the OA is disposed of. There shall be no order as to costs.

8. Copies of this order be handed over to the learned counsel for both the parties.

(B.V.SUDHAKAR)
MEMBER (ADMN.)

(A.K.PATNAIK)
MEMMBER (JUDL.)

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