

**CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI**

ORIGINAL APPLICATION No. 698/2019

Date of decision: 07.11.2019

**CORAM:- R. VIJAYKUMAR, MEMBER (A).
R.N. SINGH, MEMBER (J).**

1. Shri Anil Bharat Mishra
Age 40 years
Working as Track Maintainer Grade-I
under SSE P/Way, Bhayander,
residing at Mishra Sadan,
Dama Kambliwadi, Sahakar Nagar,
Virar (E), Dist. Thane-401 303.
2. Shri Santosh S. Salat
Age 48 years
working as Track Maintainer Grade-I
Under SSE P/WAY, Bhayander,
residing at: 201, Sai Palace Apartment,
Mahim Road, Opp. Raj Garage,
Dist. Palghar-401 404.
3. Shri Lalchand Meena,
Age 41 years
Working as Track Maintainer Grade-I
under SSE P/Way, Dahanu Road,
residing at: 60/E Railway Colony,
Gholwad (East),
Dist. Palghar 401 702.

... Applicants.

(By Advocate Shri Vicky Nagrani)

VERSUS.

1. Union of India,
Through the General Manager,
Western Railway,
Churchgate, Mumbai 400 020.
2. The Divisional Railway Manager,
Mumbai Central,
Western Railway,
Mumbai 400 008.

.... Respondents.

O R D E R

Per: R.N. SINGH, Member (Judicial)

1. When the case is called out, Shri Vicky Nagrani, learned counsel appeared for the applicants.
2. Heard the learned counsel for the applicants.
3. The applicants have not challenged any particular order but have expressed their grievance that while conducting the viva voce for promotion to the post of Trackman Gr-I, the Respondent No.2 has fixed different dates for conducting exams in different units for the convenience of the Respondents, as the same authorities could not conduct exams on the very same day. The applicants contend that instead of declaring the result on the same day, the Respondent No.2 has declared results on different dates whereby granting promotions from the date of the declaration of the result. The applicants further allege that this has caused prejudice to the applicant working in other units as there was no role of employees in declaration of results. Because of delay in publishing the result, the promotions were delayed which has caused severe prejudice in considering the promotion for the post of Junior Engineer, the applicants contend.

4. No individual representation has been filed by the applicants but they appear to have filed joint representation by various persons including the applicants.

5. In the facts and circumstances, there is clearly nothing to adjudicate and therefore with consent of the applicant's learned counsel, OA is disposed of with liberty to the applicants to file a separate representation(s), if they so wish, within one week from the date of receipt of a certified copy of this order and in case such representations are preferred by the applicants, the respondents are directed to consider such representation along with other relevant correspondence(s) and to pass a reasoned and speaking order within six weeks and communicate the same to the applicants within two weeks thereafter.

6. The OA is disposed of in the aforesaid terms.

7. No order as to cost.

(R. N. Singh)
Member (J)

(R. Vijaykumar),
Member (A)

V.

10.11.9

