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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA 2773/2001

New Delhi this the 4th day of April, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman(J)  
Hon'ble Shri M.P. Singh, Member (A)

Shri D.Thomas,  
Clerk,  
under Sr.Sectional Engineer  
( Train Light )  
Northern Railway, Baroda House,  
New Delhi.

( By Advocate Mrs. Meenu Mainee )

..Applicant

VERSUS

Union of India and Ors. :Through

1. General Manager,  
Northern Railway, Baroda  
House, New Delhi.
2. Divisional Railway Manager,  
Northern Railway, State  
Entry Road, New Delhi.

..Responndents

(By Advocate Shri B.S. Jain )

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman(J)

In this application, the applicant has prayed for a direction to the respondents to consider his case for promotion as Senior Clerk from the date from which his junior has been promoted with all consequential benefits, including difference in back wages.

2. We have heard Mrs.Meenu Mainee, learned counsel for the applicant and Shri B.S.Jain, learned counsel for the respondents and perused the pleadings on record.

3. From the reply filed by the respondents, we

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note that they have stated that the applicant would be considered for promotion to the post of Sr.Clerk as and when he passes the requisite suitability test for the post of Sr.Clerk. They have also submitted that the case for promotion of the applicant to the post of Sr.Clerk is under process. According to the learned counsel for the applicant, the applicant has already appeared for the requisite suitability test for the post of Sr.Clerk. In the circumstances, it appears that what is now left for the respondents is to pass appropriate orders following the suitability test for which the applicant has appeared for considering him for promotion to the post of Sr.Clerk. Shri B.S.Jain, learned counsel, submits that he is not aware whether such a test is held or not. However, from the written reply filed by the respondents itself, it is clearly stated that the case of the applicant for promotion to the post of Sr.Clerk is under process w.e.f. 23.6.1997 i.e the date when his junior was promoted subject to his passing the requisite suitability test.

3. In the above facts and circumstances of the case, this OA is disposed of with the following directions:-

Respondents should take necessary steps to complete the suitability test in accordance with the rules as early as possible and in any case within two months

Yours

(9)

from the date of receipt of a copy of this order. Thereafter the respondents shall pass an appropriate order in accordance with law, rules and instructions with intimation to the applicant.

No order as to costs.

  
( M.P. Singh )  
Member (A)

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( Smt. Lakshmi Swaminathan )  
Vice Chairman (J)