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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 3176/2001

New Delhi, this the 10th day of December, 2001

HON'BLE SH. V.K.MAJOTRA, MEMBER (A)
HON'BLE SH. KULDIP SINGH, MEMBER (J)

Shri V.P. Kaushik
S/o Shri Dwarka Prasad Kaushik
Executive Engineer Survey (Construction)
Northern Railway
Tilak Bridge
New Delhi.

...Applicant

(By Advocate: Sh. B.S.Mainee)

Versus

UOI & Ors : Through

1. Secretary
Ministry of Railways
Railway Board
Rail Bhavan
New Delhi - 110001.

2. General Manager
Northern Railway
Baroda House
New Delhi.

...Respondents

O R D E R (ORAL)

By Sh. V.K.Majotra, Member (A)

The applicant has assailed Annexure A-1 dated 28.9.2000 whereby the applicant has been allocated seniority w.e.f. 21.5.94 on his substantive appointment in the junior scale of IRSE w.e.f. 21.5.99. It is alleged that the applicant had been promoted to the senior scale on ad hoc basis w.e.f. 14.1.94 and took over the charge in the senior scale from 26.1.94.

2. Sh. Mainee relying on the ratio of JT 2000 (4) 196 T.Vijayan and others vs. Union of India and others ¹⁶ and contended that ¹⁶ ~~the~~ as the applicants had been promoted on ad hoc basis in terms of para 214 of Volume 1 of IREM and subsequently his uninterrupted officiation was regularised he

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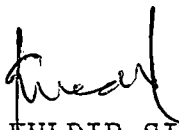
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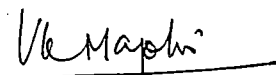
[2]

is entitled to seniority as from the date of his ad hoc promotion. The learned counsel stated that the applicant had made a representation dated 23.4.2001 in support of his claims seeking regularisation w.e.f. 26.1.99 when he took over the charge in the senior scale. However, the same has remain undisposed of at the hands of the respondents till today.

3. Having regard to the claims made and ~~keeping~~ in interest of justice we are of the view that interest of justice would be duly met if the respondents are called upon to decide applicant's representation stated above within a stipulated period by passing a reasoned and speaking order. Accordingly, we direct the respondents to decide applicant's representation (Annexure A-5) by passing a reasoned and speaking order within a period of one month from the date of communication of this order.

4. OA is disposed of. No costs.


(KULDIP SINGH)
Member (J)


(V.K. MAJOTRA)
Member (A)

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