

Central Administrative Tribunal
Principal Bench

O.A.No.1781/98

Hon'ble Mr. Justice K.M.Agarwal, Chairman
Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this the 15th day of September, 1998

Harinder Singh
s/o Shri Hardev Singh
Sr. Clerk
r/o V&PO Baoli
Patti Gopi
District Bagpat
U.P.
C.W.S. Old Delhi
(Carriage & Weagon Section
Old Railway Station,
Delhi.

... Applicant

(By Shri Sanjay Budhiraja, Advocate)

Vs.

1. General Manager
Northern Railway
Baroda House
New Delhi.
2. Divisional Personnel Officer
Northern Railway
D.R.M.Office
New Delhi.

... Respondents

O R D E R (Oral)

Hon'ble Mr. Justice K.M.Agarwal, Chairman

Heard the learned counsel for the applicant on admission.

2. The main prayer made in this OA is for directing the respondents for maintaining old seniority from an earlier date.

3. It appears to us that so far the seniority of the applicant has not been challenged. He has been served only with a show cause notice, Annexure-A1 as to why the seniority be not changed. The learned counsel states

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that reply to the show cause notice has already been submitted by the applicant. However, no adverse order has so far been received by the applicant.

4. Under the above circumstances, we are of the view that the applicant must await the order of the respondents pursuant to the impugned show cause notice after consideration of his reply and in case that order is adverse to him, he may file a fresh petition challenging such order in accordance with law.

5. Subject to the observations aforesaid, this OA is hereby summarily dismissed giving liberty to the applicant to file a fresh OA, if so advised, in accordance with law.

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(K.M. Agarwal)
Chairman

R.K. Ahooja

(R.K. Ahooja)
Member (A)

/rao/