

Central Administrative Tribunal
Principal Bench

O.A. No. 21 of 1998

New Delhi, dated this the 22nd January, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Hori Lal,
S/o Shri Ishwari Prasad,
Wireman Grade I
under S.E.E./Construction,
D.R.M's office,
New Delhi. ... Applicant

(By Advocate: Shri A.K. Dhardwaj)

Versus

1. Union of India through
the General Manager,
Northern Railway,
Baroda House, New Delhi.
2. The Divisional Railway Manager,
Northern Railway,
Delhi Division,
D.R.M. Office,
New Delhi.
3. The Sr. Divisional Personnel Officer,
Northern Railway,
Delhi Division, DRM Office,
New Delhi.
4. The Dy. Chief Electrical Engineer (Const.),
4th Floor,
D.R.M's Office,
Delhi Division,
New Delhi.
5. Harbhajan Singh,
S/o Shri Kartar Singh,
C/o S.E.E. Const. I,
Northern Railway,
Kashmere Gate, New Delhi. .. Respondents
(By Advocate: Shri D.S. Jagotra)

ORDER

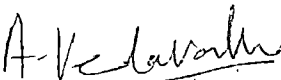
S.R. ADIGE, VC (A)

Applicant seeks regularisation as Wireman
Grade I w.e.f. the date of his appointment to that
post on ad hoc basis, and consequent interpolation of
his name in the seniority list dated 4.7.97 (Annexure
A-7).

2. Applicant has not filed any rejoinder to challenge the specific averments of respondents contained in their reply that he holds lien as Greaser (Rs.950-1500) in Delhi Division and he, therefore, has to seek promotion only in his own channel i.e. SBA Grade III (Rs.1200-1800). Applicant has also not denied in any rejoinder filed by him, this specific averment of respondents in their reply that options were called for from all those who were working as Greaser as far back as 1990 whether they would like to be appointed in category of wiremen, but applicant did not exercise his option.

3. There is merit in respondents' contention that there is no provision under the rules whereby applicant can be deemed to have opted for the post of Wireman while holding lien on another post of Greaser in his own cadre, merely on the ground that he has been working as Wireman on ad hoc basis against an ex-cadre post in Construction Organisation, unless applicant had specifically opted for the post of wireman and passed the requisite trade test.

4. The O.A., therefore, warrants no interference. It is dismissed. No costs.


(Dr. A. Vedavalli)
Member (J)
'gk'


(S.R. Adige)
Vice Chairman (A)