

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O. A. NO. 1779/1996

New Delhi this the 29th day of February, 2000.

(b)

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI V. K. MAJOTRA, MEMBER (A)

Krishan Kumar Jain  
S/o Shri Babu Ram  
R/o House No.12/14 Shakti Nagar  
Delhi.

... Applicant

(None present for the applicant)

-Versus-

1. Union of India through  
General Manager,  
Northern Railway,  
Baroda House, New Delhi.

2. Divisional Railway Manager,  
Northern Railway  
Firozpur.

... Respondents

(None present for the respondents)

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

Parties and their Advocates are absent. We have perused the record and we proceed to dispose of the OA in terms of Rule 15 of the Central Administrative Tribunal (Procedure) Rules, 1987.

2. All that is claimed in the present OA is payment of salary for the post of Chief Parcel Supervisor in the scale of Rs.2000-3200 for the period 11.9.1995 to 29.2.1996 during which period applicant has officiated to the said post.

3. In the counter, it is not disputed that the applicant has officiated to the said post during the

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aforsaid period. All that has been submitted is that applicant was not the seniormost Booking & Parcel Supervisor in the grade of Rs.1600-2660 in the Division which is the Unit for promotion as Chief Parcel Supervisor, grade Rs.2000-3200. It is further submitted that orders for officiating promotion of applicant as Chief Parcel Supervisor were not issued by the Divisional Office which is the competent and controlling office for this purpose. It is further submitted that Seniormost Booking & Parcel Supervisor in the Division as a whole and not at a particular station is considered for officiating promotion as Chief Parcel Supervisor. However, regular vacancy to the post of Chief Parcel Supervisor grade Rs.2000-3200 is filled by selection which consists of written test and viva voce test as per channel of promotion. Applicant was not eligible for officiating promotion as Chief Parcel Supervisor by virtue of his seniority at Ludhiana.

4. In our view, the contention raised by the respondents is unsustainable. It is not a case of regular promotion. Hence there is no question of any written test or viva voce test. Similarly though ordinarily, it is the seniormost Booking & Parcel Supervisor in the Division as a whole and not at a particular station who is considered for officiating promotion as Chief Parcel Supervisor, it cannot be gainsaid that the applicant has ~~not~~ officiated to the said post, may be on the basis of his seniority at a particular station where he has officiated. If he has

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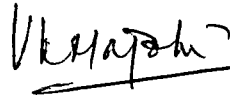
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rendered the service of Chief Parcel Supervisor grade Rs.2000-3200 for the aforesaid period between 11.9.1995 to 29.2.1996, he will be entitled to be paid for the same. We direct accordingly. Since aforesaid monetary entitlement has been denied to the applicant for the last almost four years, we direct that the same will carry interest at the rate of 12% per annum from 1.3.1996 till payment. Applicant will also be entitled to consequential retiral benefits if the same are ~~issued~~<sup>due</sup> under the rules.

5. Present OA is accordingly allowed in the aforesaid terms. No costs.



(Ashok Agarwal)  
Chairman



(V.K. Majotra)  
Member (A)

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