

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

OA No. 712/96

New Delhi: this the 20<sup>th</sup> day of July, 2000.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

HON'BLE MR. KULDIP SINGH MEMBER (J). (a)

1. Prem Prakash,  
S/o Shri Lourind Chand,  
Flat No. 3, Nehru Nagar (Market),  
New Delhi-65.

2. Shri Kamal Singh Tyagi,  
S/o Shri Sohan Lal Tyagi,  
R/o 324-D, Railway Sen Colony,  
Ghaziabad (UP). .....Applicants

(By Advocate: Shri P. M. Ahlawat )

Versus

Union of India through

1. The General Manager,  
Northern Railway,  
Baroda House,  
New Delhi-1

2. The Chief Signal & Telecommunication Engineer,  
Northern Railway,  
Baroda House,  
New Delhi-1

3. The Chief Workshop Manager,  
Northern Railway,  
Signal Workshops,  
Ghaziabad (UP)

4. The Chief Personnel Officer (Admn),  
Northern Railway,  
Baroda House,  
New Delhi-1 .....Respondents

(By Advocate: Shri R. L. Dhawan )

ORDER

Mr. S. R. Adige, VC (A):

Applicant No. 1 who superannuated on 30.11.96 and applicant No. 2 who likewise superannuated on 31.12.96 had filed this OA on 9.4.96 seeking promotion as Chargemen (A) (Rs. 1600-2660) and further promotion as Dy. Shop Superintendents (Rs. 2000-3200) with effect from the dates their juniors were promoted with arrears and other consequential benefits.

(20)

2. Heard both sides and perused the pleadings.

3. Admittedly applicant No.1 was promoted as Progressman (Rs.1600-2660) w.e.f. 1.3.93 and it is not denied that applicant No.2 was also given scale of Progressman (Rs.1600-2660) w.e.f. 10.3.96. Respondents state in their addl.affidavit dated 5.4.2000 that posts of Progressman are in 3 grades viz. Rs.1400-2300; 1600-2660 and 2000-3200 and applicant No.1 was subsequently promoted as Progress (Rs.2000-3200) w.e.f. 5.7.96. Respondents further state that Progressmen have their own channel of promotion as mentioned above, and they are not entitled to appear in the selection for the post of Chargeman (A) (Rs.1600-2660) and Dy. Shop Superintendent (Rs.2000-3200).

4. Applicants have to establish their case, and no clear rule has been shown to us by applicants to establish that Progressmen are in the line for promotion as Chargeman. Furthermore when admittedly applicant No.1 was promoted as Progressman (Rs.2000-3200) w.e.f. 5.7.96, before his superannuation on 30.11.96 there can now be no question of reverting him two levels below to the grade of Rs.1400-2300 and then considering him for promotion as Chargeman (A) (Rs.1600-2660) and as Dy. Shop Superintendent (Rs.2000-3200).

5. The OA warrants no interference. It is dismissed. No costs.

*Kuldeep Singh*  
( KULDIP SINGH )  
MEMBER(J)

*Arif Ali*  
( S. R. ADIGE )  
VICE CHAIRMAN(A)

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