

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 109/97

New Delhi, this the 22nd day of January, 2001

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)
Hon'ble Shri Govindan S. Tampi, Member (A)

1. Jagdish Chand
S/o Shri Mangat Ram
2. Ms. Sushma
D/o Shri Krishan Lal

Both working under :-
Chief Administrative Officer
(Construction)
Northern Railway
Kashmere Gate
Delhi - 110006

(None present)

...Applicants

V E R S U S

UNION OF INDIA : Through

1. General Manager
Northern Railway
Baroda House
New Delhi - 110001
2. Chief Administrative Officer
(Construction)
Northern Railway
Kashmere Gate
Delhi - 110006
3. Divisional Railway Manager
Northtrn Railway
Bikaner

(By Advocate : Shri B.S.Jain)

...Respondents

O R D E R (ORAL)

Smt. Lakshmi Swaminathan, Vice-Chairman (J)

The applicants, two in number have filed this application seeking regularisation in the posts of Typists from the dates they were promoted in that grade and for grant of seniority from that date.

2. On the last date when the case was listed Sh. K.K.Patel, learned counsel for the applicants had

(2)

referred to the order passed by Respondent-3 i.e. Divisional Railway Manager, Northern Railway, Bikaner dated 7-10-1998. He has submitted that by this order the respondents have regularised the services of the applicants in the posts of Typist with effect from that date. In the circumstances, he has submitted that the only remaining relief is for grant of seniority to them from the date their juniors were similarly regularised in the parent cadre i.e. Bikaner Division.

3. Shri B.S.Jain, learned counsel has drawn our attention to the reply filed by the respondents, in which it has been stated that the juniors of the applicants have been regularised, namely, Shri Virender Dev and Shri Prabhu Dayal. We are unable to agree with the contentions of the respondents that these persons are necessary parties, as what the applicants are seeking is seniority from the date when their juniors were regularised in the posts of Typist.

4. In the facts and circumstances of the case, the OA is disposed of with the following directions :-

Respondents to consider the question of grant of seniority in the Grade of Typist to the applicants from the dates when their juniors have been so regularised in the parent cadre i.e. Bikaner Division, which shall be done in accordance with the relevant rules and instructions. Necessary action in

(3)

this regard shall be taken within three months from
the date of receipt of a copy of this order by a
reasoned and speaking order. No order as to costs.

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(Govindan S. Tampi)
Member (A)

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(Smt. Lakshmi Swaminathan)
Vice-Chairman (J)