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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.1982/2000

New Delhi this the 4th day of July, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI S.A.T.RIZVI, MEMBER (A)

Shri Chittal
S/o Shri Baloo
Fitter Gr.II
Northern Railway
H.Nizamuddin
New Delhi.

... Applicant

(By Shri B.L.Madhok, proxy for Shri
B.S.Maine, counsel)

-versus-

Union of India
Through:

1. The General Manager
Northern Railway
Baroda House
New Delhi.
2. The Divisional Railway Manager
Northern Railway
State Entry Road
New Delhi.
3. The Assistant Engineer (Estates)
Northern Railway
State Entry Road
New Delhi.

... Respondents

(By Advocate Mrs.Meera Chhibber)

O R D E R (ORAL)

Shri Justice Ashok Agarwal:-

Applicant had earlier challenged the seniority list of Fitters Grade-III in OA No.436/95 as respondents 4 and 5 therein who were junior to him had been shown senior to him. By an order passed on 1.1.1997 in the aforesaid O~A, respondents 1 to 3 were directed to consider the representation of the applicant dated 27.4.1994 and grant him due seniority as per his entitlement. By an order later passed on

N.A.

3.5.1999 applicant was given his due seniority by placing him higher than respondents 4 and 5. Aforesaid respondents 4 and 5, however, have been given promotion as Fitter Grade-II from 15.7.1990 and as Fitter Grade-I from the year 1993, whereas the applicant has not been given the aforesaid promotions.

2. By the present OA, applicant claims promotion to the post of Fitter Grade-II and to the post of Fitter Grade-I from the dates when aforesaid respondents 4 and 5 were promoted. He also claims fixation of pay, arrears of difference in pay and allowances and other consequential benefits.

3. Respondents in their counter have stated that the applicant while he had earlier joined service was considered as a general candidate. He has, however, submitted a caste certificate on the basis of which an entry has been inserted in his service book on 19.1.1999 categorising him as belonging to the Scheduled Caste. He has accordingly been given his due seniority in the seniority list of Fitter Grade-III showing him senior to Shri Kanhaya Lal and Shri Dhirender Singh (respondents No.4 & 5 in OA No.436/1995). Claim of the applicant herein for being granted promotion to the post of Fitter Grade-II and Fitter Grade-I from the dates when the aforesaid Shri Kanhaya Lal and Shri Dhirender Singh were promoted is under consideration of the respondents and appropriate decision thereon will be taken within a period of two months.

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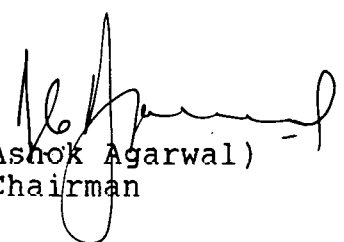
4. In the circumstances, we dispose of the present OA with a direction to the respondents to take an appropriate decision on the aforesaid issue and communicate the same to the applicant within a period of three months from the date of receipt of a copy of this order.

5. Present OA is disposed of in the aforestated terms with no order as to costs.



(S.A.T. Rizvi)
Member (A)

/sns/



(Ashok Agarwal)
Chairman