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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 425
T.A. No.

1988.

DATE OF DECISION May 6, 1988.

Shri Pran Nath,

Petitioner

Shri G.N.Oberoi,

Advocate for the Petitioner(s)

Versus

Union of India & Ors

Respondent(s)

Advocate for the Respondent(s).

CORAM :

The Hon'ble Mr. Justice K.Madhava Reddy, Chairman.

The Hon'ble Mr. Kaushal Kumar, Member.

1. Whether Reporters of local papers may be allowed to see the Judgement ? *Yes*
2. To be referred to the Reporter or not ? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement ? *No*
4. Whether to be circulated to other Benches ? *No*

kaushal
(Kaushal Kumar)
Member
6.5.1988.

Reddy
(K.Madhava Reddy)
Chairman
6.5.1988.

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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: DELHI

Regn. No. OA 425/1988

May 6, 1988

Shri Pran Nath .. Applicant

Vs

Union of India & Ors .. Respondents

CORAM:

Hon'ble Mr. Justice K. Madhava Reddy, Chairman
Hon'ble Mr. Kaushal Kumar, Member.

For the applicant .. Shri G.N. Oberoi

(Judgment of the Bench delivered by Hon'ble
Mr. Justice K. Madhava Reddy, Chairman.)

The applicant seeks a direction against the General Manager, Northern Railway and Divisional Railway Manager, Northern Railway, Ferozpur respondents herein "to consider the case of the applicant for promotion retrospectively on the analogy of the case decided by the Respondent No.2, in the case of Shri Kasturi Lal who is junior to him; and (ii) after considering the case of the applicant for promotion to higher grades, the applicant should be given all consequential benefits like pension, D.C.R.G., encashment of leave salary etc." The applicant was appointed as Relieving Commercial Clerk in 1945 in N.W. Railway in Lahore Division (now in Pakistan) and has retired from service on 31.3.1984 on attaining the age of superannuation as Outstanding Inspector Ferozpur Division of Northern Railway. It is his claim that one Shri Kasturi Lal was junior to him in service. The applicant came to know on 31.10.1986 that the said Kasturi Lal's orders of deconfirmation were issued after a



lapse of 20 years and that he was given all the benefits in the matter of fixation of pay etc. Therefore, the applicant is entitled to similar benefits and the respondents should be directed to give the said benefits to him accordingly. There is nothing to show that the applicant has made any representation in this behalf. The only representation that seems to have been filed by him was on 31.10.1986. There is nothing on record to show that he had made any representation earlier. In any event, unless there is representation and that representation is rejected, the applicant cannot seek a direction of this nature especially when he had retired way back in 1984. If he makes a representation and that representation is rejected, nothing said herein would stand in his way of making a fresh application. If such an application is filed, that will be considered on its own merits. This application is accordingly dismissed.

K. Madhava Reddy

(K. Madhava Reddy)
Chairman
6.5.1988

K. Madhava Reddy

(K. Madhava Reddy)
Chairman
6.5.1988