



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

Hearing by Video Conferencing

O.A. No.060/00895/2020

Chandigarh, this the 23rd of November, 2020

**HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)**

1. Kishan Pal s/o Sh. Dharam Chand, aged 62 years, r/o House No. 53, Phool Colony, Ambala Cantt-133001.
2. Badri s/o Sh. Ram Pati, aged 61 years r/o Pragati Vihaar, Behind BD Flour Mill, Ambala Cantt – 133001.
3. Amar Nath s/o Sh. Algoo, aged 62 years, r/o Sunder Nagar, Amabla Cabntt – 130001.

....Applicants

(BY: Mr. K.B. Sharma, Advocate)

Versus

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, DRM Office Complex, Northern Railway, Ambala Cantt.
3. Sr. Divisional Personnel Officer, DRM Office Complex, Northern Railway, Amabla Cantt – 133001.

... .Respondents

O R D E R(Oral)

SANJEEV KAUSHIK, MEMBER (J):

1. Heard Mr. K.B. Sharma, learned counsel for the applicants.
He argued that in terms of order dated 11.10.2017 passed by this Court in O.A. No. 060/01452/2017, filed by the applicants, the respondents promoted the applicants at par with their junior namely Satpal, as Black Smith Grade-II on



proforma basis w.e.f. 30.11.2007 i.e. the date from which their junior was given such promotion. He contends that the respondents have not re-fixed the pay of the applicants, consequent to their promotion as Black Smith. He argues that the applicants are entitled to re-fixation of pay and arrears thereof consequent to notional promotion given to them. Therefore, they submitted a representation dated 01.08.2018 (Annexure A-4) to grant them the relevant benefit which is pending consideration till date. Hence, the applicants are before this Court.

2. We are of view that once the respondents have granted the applicants promotion, though proforma, at par with their junior, then the benefits consequent to such promotion like fixation of pay and arrears etc. shall follow.
3. Since the representation was filed way back in 2018, We deem it appropriate to direct the applicants to submit a fresh representation for redressal of their grievance to the respondents, based upon the order passed by this Court and the order granting them proforma promotion, and the respondents, on receipt of such representation, shall consider and decide the same in accordance with law, by passing a reasoned and speaking order, within a period of three months thereafter and the speaking order be duly communicated to the applicants. Ordered accordingly.



4. Needless to mention that the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case. No costs.

(ANAND MATHUR)
MEMBER (A)

(SANJEEV KAUSHIK)
Member (J)

Place: Chandigarh
Dated: 23.11.2020

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