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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.2399/90

New Delhi this the 22nd Day of February, 1995.

Hon'ble Sh. N.V. Krishnan, Vice-Chairman (A)
Hon'ble Dr. A. Vedavalli, Member (J)

Lakhan Singh
Son of Sh. Pyare Lal,
Working as Pilot Jamadar,
in the Office of Chief Yard Master,
Northern Railway, Tughlakabad,
New Delhi.Applicant

(By Advocate Sh. V.P. Sharma)

Versus

1. Union of India through
the General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway, Delhi Division,
New Delhi.
3. The Chief Yard Master,
Northern Railway, Tughlakabad,
New Delhi.Respondents

(By Advocate Sh. D.S. Mahendru proxy for Sh. P.S.
Mahendru).

ORDER(Oral)

Hon'ble Mr. N.V. Krishnan:-

The main grievance of the applicant is that he has not been considered for promotion to the next higher grade though he is sufficiently senior for this purpose. The applicant is a pilot Jamadar in the Tughlakabad Shed. He claims that his position in the seniority list is at serial No.44 as per circular issued in March, 1988, to which a reference has been made in the agenda note item No.23 at Annexure-AA. The next post of promotion is Shunting Jamadar. The

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vacancies do exist; nevertheless, he has not been considered for promotion and the posts are lying vacant.

2. He has, therefore, prayed that a direction be issued to the respondents to consider the applicant for promotion to the post of Shunting Jamadar.

3. The respondents have filed a reply. The facts, excepting for one important point, are not disputed. It is stated in reply to 4.7 of the OA that the seniority position of the applicant is 456 and not 44, as claimed by him. When the reply was filed by the respondents in 1991, persons upto serial No.302 had been called including the last selection held. The respondents state that the claims of the applicant for promotion would be considered according to his turn based on the seniority.

4. No allegation has been made by the applicant that any person junior to him has been promoted. It would appear that the OA has been filed on a misunderstanding of the applicant's real seniority. The applicant also did not file any rejoinder to the reply contesting the claim about his seniority.

5. In this view of the matter we have only to record the submission of the respondents that the claims of the applicant would be considered according

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to his turn, whenever vacancies arise and direct the respondents to take action accordingly. We do so and dispose of the OA. No costs.

A. Vedavalli

(Dr. A. Vedavalli)
Member(J)

N.V. Krishnan
2.2.95

(N.V. Krishnan)
Vice-Chairman(A)

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