

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

....

O.A. No.224/91

DATE OF DECISION: 21/2/92

MANJIT SINGH BAGGA & OTHERS

...APPLICANT

versus

UNION OF INDIA & OTHERS

...RESPONDENTS

Shri Rajender Singhvi

...counsel for applicant.

Ms. Sunita Rao

...counsel for respondents.

CORAM:

HON'BLE MR. JUSTICE RAM PAL SINGH, VICE-CHAIRMAN(J)

HON'BLE MR. I.P. GUPTA, ADMINISTRATIVE MEMBER

J U D G E M E N T

(DELIVERED BY HON'BLE MR. I.P. GUPTA)

In this application filed under Section 19 of the Administrative Tribunals Act, the applicants were selected for the post of Apprentice Electrical Fitters (Rs. 260-400(R)) - Electrical Department - TRD Department, Kota Division and offers of appointment ^{were} ~~be~~ made by letter dated 24.7.1986 which mentioned, inter alia that training for one and a half year, would be given and after successful completion of training, ^{They would be eligible for appointment} An agreement was executed between the Railway Authorities and the applicants and one of the clauses of the agreement said that the training would be for one and a half year but the Government ^{placed} ~~may~~ at their discretion alter or modify the period and place of training. The applicants were ^{placed} ~~to~~ be under training by order dated 29.8.1986. On 12.11.1987, they completed the training and joined the post on 30.11.1987. The applicants have

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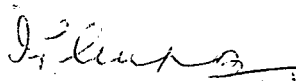
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challenged the seniority list as circulated on 21.5.1990. It has been contended that while they joined their working posts on completion of training in November, 1987, they have been given seniority from 12.8.1989 which is much after the period of $1\frac{1}{2}$ years prescribed for training in the offer dated 24.7.1986, in the agreement executed with the Railway Authorities and in the A.C. Facts & Manual. Therefore, their seniority list should be revised.

It is observed from the seniority list dated 21.5.1990 that it has not yet been finalised but circulated for inviting representations. A representation dated 26.6.1990 has also been made by the applicant. This representation remains unanswered. The learned counsel for the respondents drew our attention to the letter of the Department dated 7.11.1990 which ~~policy~~^{se} goes to show that the issue relating to seniority list remains to be finalised.

In the conspectus of the aforesaid facts, we direct that the representations of the applicants against the seniority list dated 21.5.1991 should be considered by the respondents and disposed of by a speaking order within a period of four months, keeping in view the points raised in the representations and the facts mentioned in this order. The respondents should also keep in view the contention of the learned counsel for the applicant that in Ratlam Division of the Western Railway, ^{employees} ~~we~~^{se} are assigned seniority from the date they were absorbed in regular service after training in 60 weeks.

With the aforesaid direction, the OA is disposed of with no order as to cost.


(I.P. GUPTA) 2/2/92

MEMBER (A)


(RAM PAL SINGH)

VICE CHAIRMAN(J)