

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI.

Regn. No. OA 397/1991

Date of decision: 03.02.1993.

Smt. Jamuna Prasad'

...Applicant

Versus

Union of India & Others

...Respondents

For the Applicant

...Shri H.P.
Chakravarti,
Counsel

For the Respondents

...Shri H.K. Gangwani,
Counsel

COFAM:

The Hon'ble Mr. P.K. Kartha, Vice-Chairman(J).

The Hon'ble Mr. B.N. Dhoundiyal, Administrative Member.

1. To be referred to the Reporters or not?

JUDGEMENT (ORAL)

(of the Bench delivered by Hon'ble Mr. P.K. Kartha,
Vice Chairman(J))

We have gone through the records of the case and have heard the learned counsel of both parties. The applicant who is working as Trains Clerk on ad hoc basis at Chief Yard Master, Central Railway, Jhansi, filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying that the order issued by the respondents on 17.01.1990 be set aside and quashed and that the applicant be allowed to change his cadre from Pointsman Grade-4 to Junior Trains Clerk. The learned counsel for the applicant

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stated that the applicant has been working as Assistant Pointsman Grade 'A' from 1.8.1982 and that he was discharging the duties of Junior Trains Clerk with effect from December, 1983.

2. The respondents have stated that under the existing rules there is no channel of promotion for Pointsman Grade 'A' in the pay scale of Rs.950-1500 to the Trains Clerk which is also in the same scale of pay.

3. What the applicant is praying in the present application is that his request for transfer from the cadre of Pointsman Grade 'A' to the cadre of Trains Clerk be considered ~~on request~~. In case the respondents accede to his request, he would forego his seniority in the grade of Pointsman 'A' and that he may be given bottom seniority in the cadre of Trains Clerk.

4. After hearing both sides, the application is disposed of with the direction to the respondents to consider the request of the applicant for change of cadre from Pointsman Grade 'A' to Junior Trains Clerk in accordance with the relevant rules and instructions. In case the respondents have acceded to similar request made by the similarly situated persons, the applicant should also be allowed to change the cadre in accordance with the relevant rules and

instructions.

There will be no order as to costs.

B.N. Dholiyal
(B.N. DHOUNDIYAL)
MEMBER (A)
03.02.1993

P.K. Kartha
(P.K. KARTHA)
VICE CHAIRMAN(J)
03.02.1993

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