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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No. 1585/2004

New Delhi this the 13th day of November, 2007

Hon'ble Mr. Justice M. Ramachandran, Vice Chairman (J)
Hon'ble Mrs. Neena Ranjan, Member (A)

Shri S. R. Bodwal
S/o Shri Prabhati Lal,
R/o RZ/2, L / 4, Gali No.4, Main Sagarpur,
New Delhi-1100 46.

.. Applicant

(By Advocate Shri R.K. Shukla)

VERSUS

1. Union of India through
The General Manager,
Northern Railway, Baroda House,
New Delhi-110001
2. The Divisional Railway Manager,
Northern Railway, State Entry Road,
New Delhi.

.. Respondents

(By Advocate Shri S.M.Arif)

ORDER (ORAL)

(Hon'ble Mr. Justice M. Ramachandran, Vice Chairman (J) :

Applicant had come on an earlier occasion to this Tribunal and finding that he had a genuine grievance, Vide order dated 16.10.1997, directions were issued for safeguarding his interest in the matter of his career advancement. It had been found that he was entitled to the date of promotion of one Shri Bal Kishan, his junior and he was to be given all consequential benefits, including fixation of seniority. Order had indicated in clear terms "there is no question of payment of arrears" and proforma promotion was to be given, with notional fixation.

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2. But, however, it was observed that he would be entitled for fixation within 8 weeks from the date of receipt of a copy of the order. He would have been entitled to arrears from the expiry of said 8 weeks along with interest @ 9 % per annum. The order is dated 16.10.1997.

3. It appears that there was some delay on the part of the respondents in passing consequential orders as could be gatherable from the counter statement filed. It is averred that in compliance with the directions, the applicant had been promoted to the higher grade post w.e.f. 1.1.1984, namely, the date of his junior and arrears with interest were paid to him w.e.f. 16.12.1997. The order was passed on 11.3.19⁹9. Therefore, in compliance with the orders of the Tribunal, naturally the applicant was given the arrears with interest for the interregnum.

4. In the present application, applicant has prayed that he was entitled to arrears with interest from 1984 itself since there was failure to promote the applicant within 8 weeks of the order. However, the basic order took notice of this situation and arrears with interest were payable only from the date of expiry of 8 weeks of the order, even if the final orders were passed belatedly. In the above circumstances, we do not think that any further orders are required to be passed in this case as the application is misconceived. OA is dismissed. No costs.

NR Ranjan

(Mrs. Neena Ranjan
Member (A)

M. Ramachandran

(M. Ramachandran)
Vice Chairman (J)