

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

CP 291/2006  
IN OA 1673/2004

New Delhi: this the 9th November, 2006

**Hon'ble Mr. Justice M.A. Khan, Vice-Chairman (J)**  
**Hon'ble Mr. V.K. Agnihotri, Member (A)**

Smt. Mamta Sharma  
W/o K.K. Sharma  
R/o RZ-686  
Gali NO.6 Raj Nagar Pt-I  
Palam Nagar, New Delhi.  
(By Advocate: None)

...Applicant.

Versus

1. V.K. Aggarwal  
General Manager, Western Railway  
Church Gate, Mumbai.
2. Shri P.D. Bhani  
FA & CAO (T), Western Railway  
Church Gate, Mumbai.
3. Shri Sanjay  
Dy Chief Accounts Officer (TA)  
Western Railway  
DRM Campus, Mal Road Ajmer.
4. Shri Bhagwan Dutt  
Assistant Finance Officer (FTA)  
Statistical Branch, Western Railway  
Delhi Kishanganj, Delhi.  
(By Advocate: Shri R.L. Dhawan)

**ORDER (ORAL)**

**By Mr. Justice M.A. Khan, VC(J):**


Nobody appears on behalf of the applicant. From order dated 12.10.2006, it appears that the learned counsel for the respondents had stated that the order of the Tribunal had been fully complied with and he had referred to the seniority list annexed with the counter reply. The Tribunal by order dated 12.8.2005, had directed the respondents to assign correct and proper seniority to applicant in the cadre of Head Clerk, reckoning the regularization from 1996 with all consequential benefits within a period of two months from the date of receipt of a copy of this order.

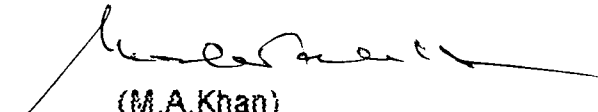
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2. Learned counsel for the respondents has stated that the respondents have already revised the seniority list and assigned proper seniority to applicant in the cadre of Head Clerk, reckoning the regularization from 1996, which is at page 7 of the counter reply, shows that applicant has been assigned proper seniority. The respondents, as such, have complied with the order of the Tribunal. In case, the applicant is still aggrieved about her non-placement in the seniority list, <sup>she must present</sup> she is at liberty to challenge the seniority list in an appropriate proceeding because direction was not to place her at a particular position in the seniority list.

3. Learned counsel for the respondents has stated at the Bar that all the consequential benefits from that position will be granted to the applicant in accordance with rules and law.

4. Having regard to above facts, we do not find that the matter should be proceeded any further we dismiss the contempt petition and discharge notice but allow the applicant to seek redressal of her grievance about seniority position in an appropriate proceeding <sup>and</sup> in case the consequential benefits arising out of change in the seniority position as per revised seniority list have not been granted to the applicant.

  
(V.K. Agnihotri)  
Member (A)

  
(M.A. Khan)  
Vice-Chairman (J)

/kdr/