

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER 1152 OF 1996

ALLAHABAD, THIS THE 25TH DAY OF SEPTEMBER, 2003

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, V.C.

HON'BLE MR. D. R. TIWARI, MEMBER (A)

Mahesh Chandra Sharma,
s/o Late Pt. G.M. Sharma
aged about 63 years r/o
282, LIG, Pritam Nagar, Allahabad.

.....Applicant

(By Advocate : Shri S. S. Sharma)

V E R S U S

1. Union of India owning and the presenting Northern Railway Notice to be served on the General Manager, Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway, DRM Office, Nawab Yusuf Road, Allahabad.

.....Respondents

(By Advocate : Shri Govind Saran)

O R D E R

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

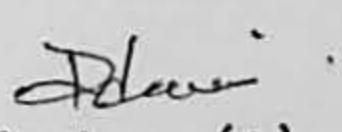
By this O.A. applicant has prayed for a direction to respondents to issue promotion order of the applicant to the post of Pharmacist in the Gr. Rs.1400-2600/- w.e.f. 01.01.1984 against restructuring of the post of Pharmacist Cadre of Northern Railway w.e.f. 01.01.1984. Though the applicant had retired from service but in terms of restructuring, he was given benefit of the grade w.e.f. 01.03.1993 by order dated 19.07.1994. It may be mentioned here that in the order,

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name of the applicant has been shown at serial No.5 whereas Shri M.M. Tewari junior to the applicant has been shown at serial No.7. Shri M.M. Tewari, was granted benefit of the aforesaid scale w.e.f. 01.01.1984 by order dated 20.03.1995 after his retirement on 31.07.1994.

2. The grievance of the applicant is that as the benefit was given to Shri M. M. Tewari, junior to the applicant, after his retirement, the applicant is also entitled for the same benefit. It is admitted that applicant was senior as clear from the seniority list filed as Annexure-3. Shri M.M. Tewari retired on 31.07.1994 and he was given benefit by order dated 20.03.1995 (Annexure-2) w.e.f. 01.01.1984.

3. Considering the facts and circumstances, in our opinion, the applicant is also entitled for the same benefit. The O.A. is accordingly allowed. Respondents are directed to give benefit of the promotion to the applicant against restructuring w.e.f. 01.01.1984 with all consequential benefits as given to Shri M.M. Tewari. This order shall be given effect within 3 months from the date a copy of this order is filed. No order as to costs.


Member (A)


Vice-Chairman

shukla/-