

Judgment

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 8th. day of Nov. 2001.

CORAM : HON. MR. S. DAYAL, A.M.

HON. MR. RAFICUDDIN, J.M.

OA No.426 of 1997

1. Kumbh Nath, Chief Travelling Ticket Inspector, North Eastern Railway, Allahabad city. .... Applicant  
Counsel for applicant : Sri R. Verma.

Versus

1. The Union of India through General Manager, North Eastern Railway, Gorakhpur.
2. The General Manager (P)/ Chief Personnel Officer, North Eastern Railway, Gorakhpur.
3. The Divisional Railway Manager, North Eastern Railway, Varanasi.
4. Shree Laxman Sharma, Conductor, North Eastern Railway, Varanasi.
5. Sri B.P. Vaish, Divisional Train Ticket Inspector, North Eastern Railway, Allahabad city.
6. Sri Ramesh Singh, Divisional Travelling Ticket Inspector, North Eastern Railway, Varanasi.
7. Sri A.K. Banerjee, Divisional Travelling Ticket Inspector, North Eastern Railway, Varanasi.
8. Sri K.B. Shukla, Divisional Travelling Ticket Inspector, North Eastern Railway, Varanasi.
9. Sri Radhey Mohan Tewari, Divisional Travelling Ticket Inspector, North Eastern Railway, Gorakhpur.
10. Sri Ram Charitra Yadav, Divisional Travelling Ticket Inspector, North Eastern Railway, Mau.
11. Sri K.K. Srivastava, Divisional Travelling Ticket Inspector, North Eastern Railway, Varanasi.
12. Ali Abbas, Chief Train Travelling Inspector, North Eastern Railway, Varanasi. .... Respondents  
Counsel for respondents : Sri P. Mathur.

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ORDER (ORAL)

This application has been filed for setting aside the following orders and for directions to the respondents to allow the applicant to continue to work as CTTI in the grade of Rs.2000-3200 :-

- i) Letter No.E/210/15/6/Part-III/6/969 dated 14/17.3.1997 to DFM, Varanasi, North Eastern Railway.
- ii) Letter No.Ka/Va/255/III/TTE(1) dated 21.3.97 of DFM, N.E.R., Varanasi.
- iii) Letter No.Ka/Va/255/III/TTE dated 31.3.97 of DFM, N.E.R., Varanasi and
- iv) Letter of DFM, Varanasi No.Ka/Va/210/III/Part/TTE dated 8.4.97.

2. Directions have also been sought to the DFM, Varanasi to correct the seniority list of TTE from 1st Dec.1983 by following the procedure for making the seniority list from original to final.

3. The applicant claims that he was reverted from the post of CTTI in the grade of Rs.2000-3200 to the next lower grade of Rs.1600-2000 after having worked for nearly ~~10~~<sup>16 months</sup> ~~years~~<sup>months</sup> on the higher post.

4. We have heard Sri R. Vema for the applicant and Sri P. Mathur, Counsel for respondents.

5. We find that letter dated 14/17.3.97 changes the seniority of the applicant along with four others granted to them earlier. By Annexure A-I, the ad-hoc promotion given to the applicant vide order dated 15.11.95 in the pay scale of 2000-3200 was withdrawn. The applicant was directed to be paid as per his pay which was fixed by letter dated 21.3.97. Annexure A-II is letter dated 14/17.3.97 by which the seniority of the applicant was partially



revised along with the others and he was placed at Sl.No.24. Annexure A-III is order of promotion of persons whom applicant claims to be his juniors.

6. The counsel for applicant contends that the seniority of the applicant has been revised without following the procedure laid down for doing the same and the applicant has been reverted without giving him a show cause notice. We find that the applicant had earlier been granted seniority in the cadre of TTE by the General Manager, North Eastern Railway and given profoma promotion as TTE w.e.f. 25.7.70 and letter as ad-hoc <sup>CTTI. *Manu*</sup> CTE. Thereafter <sup>CTTI</sup> he has been reverted from the post of CTE by simply stating that earlier seniority which was fixed, was wrong. It is stated in the letter that the applicant was entitled to seniority which would have accrued to him <sup>L</sup> ~~S.L.R.T.C.~~ <sup>L</sup> ~~in 1966~~ and he had been spared in 1969. The applicant claims that he was transferred <sup>as</sup> LRTC in 1966. <sup>L</sup>

7. Under the circumstances, we direct the respondents to promote the applicant on ad-hoc basis in the scale of <sup>2000-3200 *Manu*</sup> Rs. ~~2200-3200~~ and any action for revision of seniority would be taken only after issuing show cause notice to the applicant.

8. The order shall be complied with a period of three months from the date of receipt of a copy of this order from the applicant. There shall be no order as to cost.

*Ravindra*

J.M.

*[Signature]*  
A.M.

Asthana/