

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 21st day of December, 2000

Original Application No.435 of 1998

CORAM :-

Hon'ble Mr. Rafiuddin, J.M.

Hon'ble Mr. S. Biswas, A.M.

D.K. Pachauri S/o Sri P.D. Pachauri,

Resident of 61/1613, Janakpur,

Tundla (U.P.).

(Sri R.K. Nigam, Advocate)

..... Applicant

Versus

1. Union of India through General Manager,
Baroda House, Northern Railway, New Delhi.

2. Divisional Railway Manager,
Northern Railway, Allahabad.

(Sri G.P. Agrawal, Advocate)

..... Respondents

O R D E R (O_r_a_l) -

By Hon'ble Mr. Rafiuddin, J.M.

The applicant who is working as Head Train Ticket Examiner in Northern Railway, in Allahabad Division in the grade of Rs.1400-2300, has filed this OA seeking direction to the respondents to constitute a Supplementary Screening Committee for the purpose of considering the applicant for upgradation in grade Rs.1600-2600 according to Railway Board's letter dated 2/4-2-1993 and directing the respondents to interpolate the name of the applicant vis-a-vis the junior counterparts and to grant him consequential benefits with retrospective effect.

2. Briefly stated, the facts of the case are that the Ticket Checking Cadre has been restructured in the various grades of Commercial Department under Railway

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Board's letter dated 2/4-2-1993 mentioned above and the benefits of restructuring of cadre scheme have been extended to the staff of Ticket Checking Cadre w.e.f.

1.3.1993. According to the applicant, the junior counterparts of the applicant, namely, Sri Ram Shanker, Sri Kishori Lal, Sri Jagdish, Sri Mool Chand, Sri Ram Sewak and Sri Bhikam Chand etc. have been given benefit of promotion ignoring the claim of the applicant. The applicant made a strong representation against the above set of discrimination but no order has been passed. A copy of the representation has been annexed as Annexure-A-3 to this OA.

3. We have heard counsel for the parties and perused the record.

4. Learned counsel for the respondents has contended on the basis of the pleadings that since the applicant is running under the punishment of stoppage of increment from 1993, he is not entitled for promotion to grade Rs.1600-2660/5000-9000.

5. It may be seen that the applicant has neither disclosed the fact of his undergoing punishment, nor the same has been denied in the rejoinder affidavit. The copy of the punishment order is also not available on the record. It is not possible to issue any direction for the promotion of the applicant by this Tribunal.

6. However, considering the facts and circumstances of this case, we dispose of this OA with the direction to the applicant to submit a detailed representation mentioning the details of his claim before the D.R.M. Northern Railway, Allahabad, within a period of one

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month which will be considered and decided by a speaking order by the respondent no.2 within a period of three months thereafter as per Rules and relevant instructions of the Railway Board. There shall be no order as to costs.

S. Bala *Ramgopal*
Member (A) Member (J)

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