

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 1st day of November 2001

Original Application no. 496 of 1998.

Hon'ble Mr. S.K.I. Naqvi, Judicial Member

Hon'ble Maj Gen K.K. Srivastava, Administrative Member

Anilsh Chand Singh,
S/o late Shri Nageshwar Singh,
R/o 615 E, Baulia Railway Colony,
GORAKHPUR.

.... Applicant

By Adv : Shri B. Tewari

Versus

1. Union of India through the General Manager,
N.E. Railway,
GORAKHPUR.

2. D.R.M. (P), N.E. Railway,
VARANASI.

.... Respondents

By Adv : Sri K.P. Singh

O R D E R

Hon'ble Mr. S.K.I. Naqvi, Member-J.

The applicant has come up seeking relief to
following
the/effect :

"To issue an order or direction commanding the
the respondents to give profarma fixation benefit
in scale of Rs. 330-560 for the post of Senior
Clerk w.e.f. 1.10.1980, and to the other promoted
post, with seniority fixation of pay and arrear
of pay as well as promotional benefit in comprison

S.C.

....2/-

2.

with Mr. R.K. Pandey who was junior from the applicant and now promoted as O.S. Grade-I in scale of Rs. 2000-3200 w.e.f. 7.8.1994."

2. Now during course of arguments, learned counsel for the applicant confines his relief to the following extent only :

" now it will appear that juniors to applicant have been promoted as OS Grade I, therefore, the applicant may kindly be promoted as OS Grade I from the date from which juniors to him have been promoted."

In support of above contention, the applicant has referred the case of K.L. Kushwaha, who according to applicant is having same service status as that of applicant, but he has been promoted to the post of OS Grade I long back, but that opportunity has been denied to the applicant.

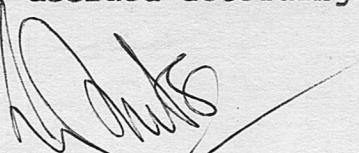
3. The respondents have contested the case and filed counter affidavit.

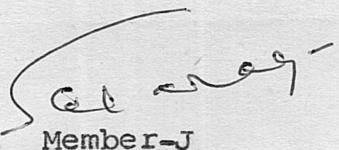
4. Heard Sri B. Tewari, learned counsel for the applicant and Shri K.P. Singh, learned counsel for the respondents and perused the records.

5. We find that the applicant has not specifically pleaded any case where some juniors have been preferred against him for being considered for promotion. However, ^{is being} he ~~has been~~ provided an opportunity to raise the issue before the competent authority in the department and if some grievance remains then he may come through fresh O.A. and, thereby the O.A. is being decided as under :

"The applicant to file a fresh representation before competent authority in the department, putting in his grievance, within four weeks and the same be decided within 3 months, thereafter by passing detailed, reasoned and speaking order with copy to applicant."

5. The OA is decided accordingly with no order as to costs.


Member-A


Member-J

/pc/