

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 28TH DAY OF MAY, 2003

Original Application No.1379/01

CORAM:

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

HON.MR.S.K.AGARWAL, MEMBER(A)

D.P.Biswas, Chief Inspector Tickets
Northern Railway, Kanpur
Central, Kanpur.

.. Applicant

(Vs

1. Union of India through
General Manager, Northern
Railway, Baroda House,
New Delhi.
2. The Senior Divisional Officer,
Northern Railway, Allahabad.
3. Prithvi Ram, Chief Inspector
Tickets, Northern Railway
Allahabad.
4. Divisional Railway Manager,
Allahabad.

.. Respondents

(By Adv: Shri Prashant Mathur)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA u/s 19 of A.T.Act 1985 applicant has challenged the orders dated 15.6.01(Annexure 1) and order dated 1.8.01(Annexure 2) by which claim of the applicant for seniority above Prithvi Ram has been rejected. The order dated 1.8.01 contains reason for not accepting the claim of the applicant. By this OA filed on 20.11.01 applicant is questioning the seniority determined in the year 1981-82. It appears that as Ticket collector in the scale of Rs 260-400 applicant was senior to A.K.Mandal and Prithvi Ram. As TTE in the scale of Rs 330-560 also applicant maintained his seniority. ^{Both} ~~Both~~ the above lists were issued on 7.10.1980 and 10.12.1981. However, when the applicant and others were granted promotion as Conductor in

the grade of Rs 425-640 applicant could not join immediately and he joined on 26.3.1982, whereas, Prithvi Ram joined on 1.1.1981. O.S.Gayatri joined on 7.5.1982 and A.K.Mandal joined on 1.5.1982. Thus, Prithvi ^uRam became senior on account of his joining earlier. The applicant lost seniority as he did not obey the order of transfer and promotion. He did not come to join at Allahabad and continued as TTE in Kanpur. In the circumstances, the seniority is correctly determined and it does not suffer from any error of law.

The OA has no merit and is dismissed. No order as to costs.



MEMBER(A)



VICE CHAIRMAN

Dated: 28th May, 2003

Uv/