

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.1516/2001

FRIDAY, THIS THE 13TH DAY OF SEPTEMBER, 2002

HON'BLE MR. JUSTICE R.R.K. TRIVEDI .. VICE CHAIRMAN

HON'BLE MR. S. DAYAL .. MEMBER (A)

Jalil Ahmad,
S/o Sri Late Sikandar Khan,
R/o Village - Mahalia, Post - Dharmer,
District - Deoria.
Working as a Station Master,
Railway Station - Bilthara Road,
N.E.R., Varanasi. ... Applicant

(By Advocate Shri A.B. Singh)

Versus

1. Union of India,
through General Manager,
North Eastern Railway,
Gorakhpur.
2. Divisional Railway Manager,
N.E.R., Varanasi.
3. Additional District Railway Manager,
N.E.R., Varanasi.
4. Senior Divisional Operational Manager,
North Eastern Railway (N.E.R.),
Varanasi.
5. Senior Divisional Personnel Officer,
North Eastern Railway,
Varanasi. ... Respondents

(By Advocate Shri K.P. Singh)

ORDER

Hon'ble Mr. Justice R.R.K. Trivedi, Vice Chairman:

We have heard Shri A.B. Singh, counsel, for
the applicant and Shri K.P. Singh, counsel for respondents.

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2. By this O.A. under Section 19 of the A.T. Act, the applicant has prayed for a direction to the respondents to provide promotional pay scale as well as regular promotion and the seniority, pay fixation from 1.3.1995, when the juniors were promoted.

3. After hearing counsel for the parties at length, we directed Shri K.P. Singh, learned counsel for the respondents to produce before us the record relating to selection held on the basis of notification dated 2.5.1996. The record has been produced before us today. We have perused the record. The selection was held for 11 vacancies. ~~Totally~~ 33 candidates were called. The applicant was one of them. ~~Totally~~ 17 candidates who passed the written test were interviewed. The applicant also passed the selection. Out of 17, only two persons have been mentioned failed. Out of 15 persons, 11 persons who secured better marks than the applicant were considered and they were given appointment.

4. It cannot be disputed that the post of Station Master in the pay scale of Rs.2000-3200/- being the selection post, on the basis of a better performance, juniors could be selected and appointed. ~~But, there is no reason for~~ ^{Justification} the claim of the applicant. After perusal of the record, we are fully satisfied that no injustice has been caused to the applicant.

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5. The learned counsel for the applicant then submitted that the applicant has not been given the increments and other benefits which persons junior to him were given and they are drawing higher pay scale. For this purpose, the applicant has made a representation on 20.2.2001. It has been prayed by the applicant that the respondents may be directed to decide the representation of the applicant for the remaining benefits.

6. Considering the facts and circumstances of the case, we dispose of this O.A. with a direction to Senior Divisional Operational Manager, N.E. Railways, Varanasi, ~~and~~ decide the representation of the applicant dated 20.2.2001 by a reasoned order within three months from the date a copy of this order is filed. To avoid delay, it shall be open to the applicant to file a copy of the representation along with a copy of this order. No costs.



MEMBER (A)



VICE CHAIRMAN

psp.