

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 245 of 2001

Allahabad this the 02nd day of April, 2002

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.  
Hon'ble Mr. C.S. Chadha, Member (A)

Sri J.C. Singh S/o C.P. Singh a/a 58 yrs. Ex.  
Assistant Engineer, Eastern Railway, R/o C/o  
Ashok Kumar Singh, Jamsali Road Raniganj, Distt.  
Pratapgarh (U.P.).

Applicant

By Advocate Shri R.J. Singh

Versus

1. Union of India through General Manager, Eastern Railway, Calcutta.
2. Divisional Railway Manager, Eastern Railway, Mughalsarai.
3. Senior Divisional Personal Officer, Eastern Railway, Mughalsarai.

Respondents

By Advocate Shri K.P. Singh

ORDER ( Oral )

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

This Tribunal by order dated 17.08.00  
has disposed of the O.A.No1124 of 1992 by the  
following order;

"In this O.A. only dispute remains regarding  
fixation of pay of the applicant after the  
revisional order in DAR. Under the circum-  
stances, we direct that the applicant may move  
representation before the respondents within  
4 weeks and the same shall be decided by the  
respondents within 3 months thereafter by  
passing detailed reasoned and speaking order."

2. In pursuance of the aforesaid order, the General Manager, Eastern Railway has decided the representation by order dated 06.12.00(annexur-1). The representation has been rejected. Aggrieved by which, this application has been filed. Learned counsel for the applicant has placed before us the revisional order dated 29.08.89, which provided as under;

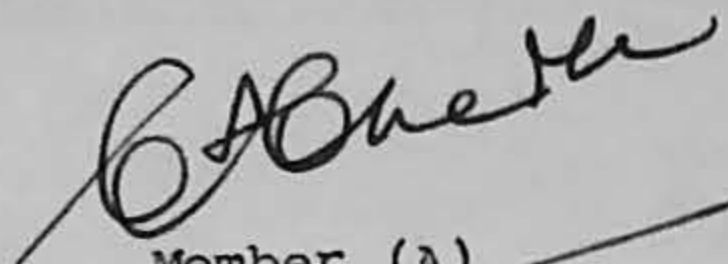
".....It has further been decided that on restoration to the post of PWI/Grade II with original seniority Sri Singh if selected at the first attempt as PWI/Gr.I, he should be assigned his position as P.W.I.Gr.I on the basis of his original seniority as P.W.I./Gr.II."

3. On the basis of the aforesaid, learned counsel has submitted that the pay fixation is not correct and the applicant should have been restored to original seniority as P.W.I. Grade I. This aspect has been considered by the General Manager in the impugned order. It has been observed that subsequently a letter was issued inadvertently from C.P.O. Office vide no.E/308/2042/AP dated 29.08.89 regarding the applicant's seniority, but the mistake was rectified and the applicant was communicated his correct seniority position as P.W.I. Grade I conforming the order of revisional authority that he can appear for P.W.I. Grade I selection on his original seniority but if selected, his seniority in P.W.I. Grade I will will count from the date of such selection only. Thus, the claim of the applicant, based on 29.08.89, is not correct. The order of revisional authority

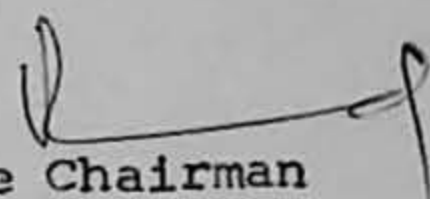


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was not correctly communicated to the applicant.  
The mistake was ractified subsequently. In the  
circumstances, we do not find any error in the  
impugned order. The O.A. has no merit, <sup>claus 4</sup> ~~which~~ is  
accordingly dismissed. No costs.

  
Member (A)

/M.M./

  
Vice Chairman