

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No.263 of 2001

Tuesday, this the 3rd day of December, 2002

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

Hon'ble Maj. Gen. K.K.Srivastava, A.M.

Aparwal Yadav,
Son of Shri Swami Nath Yadav,
Presently posted as Fork Lifter
Driver in Diesel Locomotive Works
Varanasi. Applicant.

(By Advocate : None)

Versus

1. Union of India,
through the Secretary,
Ministry of Railways,
Rail Bhawan, New Delhi.
2. General Manager,
Diesel Locomotive Works
Varanasi.
3. Chief Mechanical Engineer (Personnel)
Diesel Locomotive Works, Varanasi.
4. Deputy Chief Personnel Officer (Workshop)
Diesel Locomotive Works, Varanasi.

.... Respondents.

(By Advocate : Shri A.Sthalekar)

ORDER (ORAL)

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

By this OA, filed under Section 19 of the A.T. Act, 1985, the applicant has prayed for a direction to the respondents to treat the applicant senior to all other unskilled (Compressor) Drivers and other unskilled members of the trade Driver and to

Contd...2.

consider the claim of the applicant for promotion to the post of Junior Engineer on that basis. ~~thereof~~ ^

2. The applicant has not impleaded those persons who are likely to be affected by the order of this Tribunal, if the relief claimed by the applicant is granted. The applicant is not entitled for any relief. The respondents have filed counter reply. In the counter reply, the respondents have stated that no injustice has been done in the case of the applicant by merging the cadre and assigning him rightful position from 17.1.97 viz., the date on which he was promoted as Compressor Driver in the ^{(M and P) Grade III} seniority list of Driver effective from 1.7.2000. Moreover, merger of cadre is in the Administrative interest of the Government. No interference is called for by the Tribunal. The applicant has not been able to show us, ^{as to how} where he has been discriminated by the said merger of cadre. We do not find any merit ⁱⁿ this case and the OA is accordingly dismissed. No order as to costs.


Member (A)


Vice Chairman

RKM/