

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 12TH DAY OF FEBRUARY, 2001

Original Application No. 69 of 2001

CORAM:

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

HON.MR.S.DAYAL, MEMBER(A)

1. Jagdish Pd.Dwivedi,a/a 41 years
Son of Shri R.S.Dwivedi,R/o 241/10-A
Nainagarh,Nagra, Jhansi.
2. Anil kapoor a/a 37 years
Son of Shri Bhushan Pal Kapoor
R/o 571/1,Duns Compound,Mashihaganj
Sipri Bazar, Jhansi.
3. Rajeev Awasthi,a/a 35 years
Son of Shri S.N.Awasthi,R/o 571/16,
Premganj,Sipri Bazar, Jhansi.
4. Anup Bajpai,a/a 36 years
Son of Shri Ramesh Chandra Bajpai
R/o 215,Azadganj,Sipri Bazar
Jhnasi.
5. Girish Kanchan,a/a 36 years
Son of Shri R.C.Kanchan,R/o B-150
Awas Vikas Colony, Jhansi.
6. Vineet G.Bartholmew,a/a 41 years
Son of Late Shri G.P.Bartholmew, R/o 472
C.P.Compound, Gwalior Road, Jhansi
7. Rajveer Singh,a/a 41 years
Son of Late Shri Tej Pal Singh
R/o RB-II,51 G.F.B Railway Colony

Rajesh Shukla,a/a 41 years,
Son of Late Shri T.N.Shukla,R/o
E/2,Dr.R.P.Colony,Tansen Road
Gwalior.
9. Pradeep Kumar Tripathi,a/a 37 years
Son of Suraj Pd.Tripathi
R/o 182/46 type III P.T.P.P.
Colony,Parichha, district Jhansi.

... Applicants

(By Adv: Shri N.P.Singh)

Versus

1. Union of India through the Secretary
Ministry of Railways, rail Bhawan
New Delhi.
2. General Manager, Central Railway
Chhatrapati Shivaji Terminus
Mumbai.
3. Chief Personnel Officer(Traffic)

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Central Railway Mumbai.

4. Divisional Railway Manager,
Central Railway, Jhansi.

... Respondents

O R D E R (Oral)

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

19/11/00
The short, facts are that the applicants are serving as Assistant Yard Masters. They ~~have~~ claimed promotion in the scale of Rs.1600-2660 and filed OA No.584/2000 in this Tribunal. The OA was disposed of by order dated 30.5.2000 with a direction to the respondents to dispose of the representation within sixty days. The impugned order has been passed by the respondents in compliance of the aforesaid direction. In the impugned order three reasons have been advanced for which the applicants have not been found entitled for the next higher grade i.e. 1600-2660. The first reason is that they have not completed two years requisite service as Assistant Yard Masters. It is stated that they have put in only 9 months of service in the scale of Rs.1400-23000 which is less than one year and thus they cannot get the benefit of relaxation also.

The learned counsel for the applicants however, submitted that in view of the order dated 17.8.1995 (Annexure 3) they have been put to disadvantage. The order provides for merger of the two cadres namely Asstt. Station Masters and Asstt. Yard Masters. Earlier for promotion to higher grade they had different quotas but after merger the 30% quota fixed for Asstt. Yard Masters have come to an end which is claimed by the applicant as disadvantage. In our opinion, as the applicants were not eligible for the promotion on the crucial date they are not effected by order and merger took place *before* *when* they

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could be eligible for promotion.

For the reasons stated above, we do not find any illegality in the order and the OA is rejected accordingly. No order as to costs.


MEMBER(S)


VICE CHAIRMAN

Dated: 12.2.2001

/Uv/