

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.183 OF 2004

ALLAHABAD THIS THE 20TH DAY OF DECEMBER, 2004

HON'BLE MR. JUSTICE S. R. SINGH, VICE-CHAIRMAN
HON'BLE MR. D. R. TIWARI, MEMBER-A

1. Ayodhya Singh,
Son of Late Kalika Prasad Singh,
R/o 190, Naina Garh, Prem Nagar,
Jhansi.
2. Kailash Nath Kaushik,
S/o Late Beni Prasad Kaushik,
R/o Prem Nagar, Magra, Jhansi.
3. Mahesh Chandra Shukla,
S/o Raghu Nath Prasad,
R/o 1320, Prem Ganj, Cipri Bazar,
Jhansi.

. Applicants.

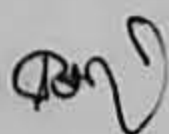
(By Advocate Sri A. K. Srivastava)

Versus

1. Union of India
through General Manager,
North Central Railway,
Nawab Yusuf Road,
Allahabad.
2. Divisional Railway Manager,
North Central Railway,
Jhansi Division,
Jhansi.
3. Senior Divisional Personnel Officer,
North Central Railway,
Jhansi Division, Jhansi.

. Respondents

(By Advocate Sri D. Awasthi)



- O R D E R -

HON'BLE MR. JUSTICE S. R. SINGH, VICE-CHAIRMAN

Heard Shri A. K. Srivastava, counsel for the applicant, Shri D. Tiwari holding brief of Shri D. Awasthi, counsel for the respondents and perused the pleadings as well.

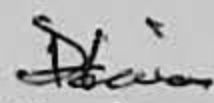
2. The applicants joined the service as Class-IV employee under the respondents and w.e.f. 12.09.1986, 29.07.1982 and 03.03.1983 respectively they had been working as Junior Clerk and perform^{ing} the duties of Material Checker and Time Keeper on Ad-hoc basis. They are aggrieved ^{they} by Provisional Seniority list of Chief O.S., O.S.-I, O.S.-II, Head Clerk, Senior Clerk & Junior Clerk published vide impugned letter dated 15.01.2003 annexed as Annexure-1 to the O.A. The provisional Seniority List has been made subject to final outcome of certain original application and writ petition pending in the Hon'ble Supreme Court with a clear stipulation that "if any employee has any objection against his seniority of any name has been omitted in the list, they can represent to this office within one month from the date of issuing of this seniority". The grievance of the applicants is that their names have been omitted from the impugned provisional seniority list even though in the order dated 21.02.1991 (Annexure-2), they have been given the pay scale of Rs.950-1500/- and by order dated 11.04.1990 (Annexure-2-A) they were placed in the scale of Junior Clerk. ^h Aggrieved by the omission of the name from the provisional seniority list, they preferred a representation but till date no decision has been taken on their representation.

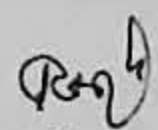
3. Having heard counsel for the applicants and

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upon regard that the applicants have already preferred representations for omission of their names in the Provisional Seniority list dated 15.01.2003, we dispose of the O.A. with direction to the competent authority namely Divisional Railway Manager(P) Jhansi, to look into the grievance of the applicants and disposed of their representations by a speaking and reasoned order within a period of three months from the date of receipt of a copy of this order. It goes without saying that, in case, the representation finds favour, the competent authority shall incorporate the name of the applicants in the final seniority list.

4. The O.A. is accordingly disposed of with no order as to costs.


Member-A


Vice-Chairman

/ns/