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CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

Registration(OA) no. 943 of 1988

S.K.Mahto applicant.

Versus

Secretary, Ministry of Railway
and others. Respondents.

Hon'ble D.S.Misra, A.M.

Hon'ble G.S.Sharma, JM.

(Delivered by Hon'ble DSMisra)

In this application under Section 19 of the AT Act XIII of 1985, the applicant has sought the following relief.

- 1.to draw the seniority of the applicant according to the judgment dated 30.1.1987 passed by the Hon'ble Tribunal including the name of the petitioner computing his seniority with effect from 1.1.1973 when the grades of legal staff of Rs.305-425 and Rs.370-475 were merged together and the revised grade of Rs.550-750 was given.
- 2.to declare the result of the petitioner in respect of the examination held for the selection for promotion in group 'B' service in TT and C Departments against 75% vacancies of 1978-79 and produce before the Hon'ble Tribunal the marks obtained by the petitioner in the written test and viva voce.
- 3.to include the name of the petitioner at proper place in the result declared on 13.3.87.

2- We have heard learned counsel for the applicant and perused the judgment dated 30.1.1987 passed by the New Delhi Bench of the Central Administrative Tribunal in several writ petitions filed in respect of the judgment dated 9.10.1986 in TA no. 431 of 1985, and CW no. 1382 of 1978 and we find that only direction as envisaged in Relief-1

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was ^{given} ~~passed~~ by the tribunal. The applicant has claimed seniority w.e.f. 1.1.1973 and we are of the opinion that it is a belated application and the same is not maintainable under Section 21 of the A.T.Act. Regarding relief no.2 the applicant himself has admitted in para6(vi) of the petition that by an order dated 13.3.87(copy annexure 4) the respondents have declared the results of the selection held on 17.12.1978 and his name does not find place in this section. The applicant has not sought the quashing of the order dated 13.3.87 and therefore, the question of granting this relief does not arise.

For the reasons mentioned above, the application is dismissed at the admission stage.

J.M.
J.M.

A.M.
A.M.

JS/ 22.8.88