

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

O.A.No.745/92

L. P. Jayaswal & Otrs. ::::: Applicant

Vs.

Union of India & Others. ::::: Respondents.

Hon.Mr.Justice U.C.Srivastava, V.C.

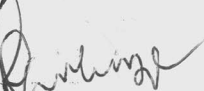
Hon.Mr. K. Obayya, A.M.

(By Hon.Mr.Justice U.C.Srivastava, V.C.)

The applicants were appointed as Senior I.T.E. (STTE) in the grade of Rs.1400-2300 w.e.f. 1-1-84 in Northern Railway, Moradabad i.e. from the date of restructuring took place vide order dated 26-11-91. The promotion was challenged by one of the Unions and the promotions in the grade of Rs.1400-2300/- was held only for the time being ^{and recalled} vide order dt.26-2-90 by the competent authority. His promotion to the grade of Rs.1400-2300 w.e.f. 1-4-84 was restored by office order dt. 7/8/92. The grievance of the applicant is that withholding of the promotion as STTE could not have been passed in this case. In view of the fact that the promotion was recalled at the instance of the union and later on it was restored which shows that the promotion was wrongly recalled and that is why it was subsequently restored by the department itself. As wrong was done to the applicant, he cannot be deprived of any salary during the period in which he was working in the grade i.e. w.e.f. 1-1-84.

2. Accordingly the respondents are directed to pay the arrears of salary to the applicant in the said grade

within a period of 3 months from the date of communication of this order. All the other privileges which the applicant should have or could have ~~xxx~~ earned be given to him as he has been restored back to the post of SITE. With these observations the application stands disposed off after hearing the Counsels for the parties. No order as to the costs.


A.M.


V.C.

Dated: 4th May, 1993, Allahabad.
(tgk)