

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 7TH DAY OF NOVEMBER, 2000

Original Application No.899 of 1992

CORAM:

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

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

Abdul Khaliq son of Late Bulaki, Tool room
Attendant, now Fitter Khalasi under D.E.E/Electric
Loco Shed/Kanpur, r/o 330/4, Rail Bazar
Idgah, Cantt, Kanpur-4

... Applicant

(By Adv: Shri Anand Kumar)

Versus

1. Union of India through General Manager
Northern Railway, Baroda House,
New Delhi.
2. Divisional Railway Manager,
Northern Railway, Allahabad.
3. Divisional Personnel Officer,
Northern Railway, Allahabad.

... Respondents

O R D E R(Oral)

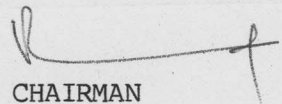
(By Hon.Mr.Justice R.R.K.Trivedi,V.C.)

By this application u/s 19 of the A.T.Act 1985 the applicant has prayed for a direction to the respondents to grant him the benefits of upgradation of the post of Tool Room Attendant grade Rs.950-1500(RPS) w.e.f. 1.1.1986 from the date persons junior to him namely S/Shri Saudan Singh, Gobardhan and Ram khelawan were given this benefit including consequential benefits. It is not disputed that the applicant was also granted the benefit of upgradation but it was cancelled vide letter dated 18.1.1988. Aggrieved by the aforesaid order the applicant filed representation dated 25.9.1991. A copy has been filed as (Annexure 6). In the representation made on 26.3.1992, a copy of which has been filed as (Annexure 7) applicant has claimed himself senior to Saudan Singh, Gobardhan and Ram khelawan. He has reiterated this stand in the application filed in this Tribunal.

The respondents in counter affidavit have stated that aforesaid three persons were senior to the applicant. However, the respondents failed to file the seniority list and also failed to give necessary dates on which basis the Tribunal could ascertain the correct position. By order dated 28.1.2000 and 28.7.2000 learned counsel for the respondents was granted time to produce the necessary record to resolve the aforesaid controversy. However, even after giving sufficient opportunity documents have not been produced. In the circumstances, we are left with no option but to direct the respondent no.2 D.R.M., Northern Railway Allahabad to decide the representation of the applicant by a reasoned order within ^{the} ~~the~~ period ~~of~~ fixed by this order.

The application is accordingly disposed of with a direction to the respondent no.2 to decide the representations of the applicant by a reasoned order within three months from the date a copy of this order is filed. To avoid delay it shall be open to the applicant to file fresh representation alongwith the copy of this order. No order as to costs.


MEMBER (A)


VICE CHAIRMAN

Dated: 07.11.2000

Uv/