

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 4th day of August, 2000

Original Application No. 1093 of 1992

District : Moghalsarai

CORAM :-

Hon'ble Mr. Justice RRK Trivedi, V.C.

Hon'ble Mr. S. Biswas, A.M.

1. A.K. Kharey son of Late Kameshwar Nath, Head Clerk in Divisional Railway Manager's Office, Eastern Railway, Moghalsarai.
2. Moti Lal Singh son of Late Hardayal Singh, Senior Clerk in the Office of Divisional Railway Manager, Eastern Railway, Moghalsarai.

(Sri Sajnu Ram, Advocate)

.... Applicant

Versus

1. Union of India through General Manager, Eastern Railway, Fairlie Place, Calcutta,
2. Divisional Railway Manager, Eastern Railway, Moghalsarai.
3. Senior Divisional Personnel Officer, Eastern Railway, Mughalsarai.

(Sri DC Saxena, Advocate)

.... Respondents

ORDER (oral)

By Hon'ble Mr. Justice RRK Trivedi, V.C.

By this application under section 19 of the Administrative Tribunals Act, 1985, a direction has been sought to the respondents to promote and upgrade the applicants as Head Clerk and to pay them the arrears of salary and other allowances w.e.f. 1-1-1984.

2. Learned counsel for the applicant has submitted that the department has already given appointment to the applicants on promotional post and their seniority

has also been determined from 1-1-1984. However, the consequential benefits like arrears of salary etc. have not been given.

3. The respondents were allowed time on 10-3-1997 to file SCA. The order reads as under :-

"Learned counsel for the applicant submitted that the applicant has since been promoted retrospectively w.e.f. 1-1-1981 and also granted seniority accordingly but the arrears of wages, have not been granted.

Learned counsel for the respondents is granted 3 weeks time to file Supp. CA to bring on record the order which has been passed in this regard and also as to why the arrears of salary has not been granted.

Applicants shall have 2 weeks time to file Supp. RA. List for hearing on 25-4-97"

4. However, no SCA has been filed, though more than three years have passed. On 9-7-1998, again opportunity was granted to file SCA. In these facts and circumstances as several opportunities have been given to the respondents, but they have failed to carry out the order of this Tribunal, we dispose of this application finally with a direction to the respondents to pay the entire arrears of salary which may be admissible <sup>and under the order granting promotion</sup> to the applicants under rules within a period of three months from the date, the copy of the order is <sup>placed</sup> ~~served~~ before respondent no. 2, the <sup>Divisional Manager</sup> ~~Divisional Manager~~, Eastern Railway, Moghalsarai. No order as to costs.

S. Obici  
Member (A)

  
Vice Chairman

Dube/