

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 06th day of February 2002.

Original Application no. 1484 of 1993.

Hon'ble Mr. Justice R.R.K. Trivedi, Vice.Chairman
Hon'ble Maj Gen K.K. Srivastava, Member (A)

Santosh Masih, s/o Sri S. Lal,
 working as Oil Engine Driver,
 Under Divl. Electrical Foreman (Diesel),
 Northern Railway, Moradabad.

... Applicant

By Adv : Sri Sanjay Kumar

V E R S U S

1. Union of India, through Divil. Railway Manager,
 Northern Railway, Moradabad.
2. Chief Personnel Officer, N. Rly.,
 Baroda House, New Delhi.

... Respondents

By Adv : Sri D.C. Saxena & Sri A. Tripathi

O R D E R

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this OA filed under section 19 of the A.T. Act, 1985, the applicant has prayed for a direction to the respondents to correct the seniority list dated 15.3.1993 and place the petitioner at sl no. 2 in the seniority list of Oil Engine Drivers Grade II below the name of Sri Ram Baran and above the name of Sri Lattoore Singh. The applicant has also prayed to quash the entire seniority list dated 10.11.1993 and

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direct the respondents to place the applicant at sl no. 2 in the seniority list of Oil Engine Drivers.

2. Resisting the claim of the applicant ~~of the~~ applicant written statement has been filed. In para 13 whereof it is stated that Sri Latoor Singh belongs to ST community and as such he was promoted against the reserved quota. It is also stated that Sri L. Singh was appointed earlier to the applicant on regular basis whereas the applicant was engaged against E.L.A. temporary work charged post. So far as Sri Babu Ram and Sri Harminder Singh are concerned it is stated that they were appointed earlier to the applicant and as such the claim of the applicant is not tenable. Regarding seniority it is stated that the applicant was working against work charged post on E.L.A. basis and he cannot be claim seniority till regularised on 17.1.1991.

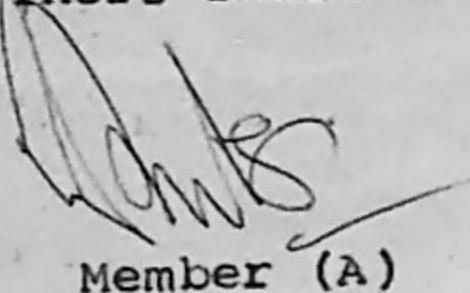
3. Sri S.K. Om, learned counsel for the applicant however, submitted that the date of regularisation of the applicant is 31.3.1989. Sri A. Tripathi, learned counsel for the respondents on the other hand submitted that in 1989 the applicant was only screened and order of regularisation was passed in 1991. However, if the date of regularisation was accepted as stated by the learned counsel for the applicant as 31.3.1989, it makes no difference as persons shown above the applicant in the seniority list were appointed before 1989.

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4. In the circumstances, we do not find any ground to interfere in the matter. The applicant is not entitled for any relief. The OA is dismissed accordingly.

5. There shall be no order as to costs.



Member (A)



Vice-Chairman

/pc/