

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD

DATED : ALLAHABAD THIS THE 12th DAY OF DECEMBER, 1995.

QUORUM : Hon'ble Mr. T. L. Verma, Member-J.
Hon'ble Mr. D.S. Paweja, Member-A.

Original Application No. 1793 of 1994.
=====

Syed Zaki Hassan son of late Sayed Nabi,
Hassn R/o. Mohalla Karim Chak, Hassan Manzil,
P.O. Chupra, District Saran Bihar, presently
residing at Bangla No. 47, Cantonment Area, Station
Road, Varanasi. Applicant.

(By Advocate Sri v.K. Srivastava)

Versus

1. Union of India, through its General Manager,
North Eastern Railway, Gorakhpur.
2. Divisional Rail Manager, North Eastern Railway,
Lahartara, Varanasi.
3. Senior Divisional Personnel Officer,
Varanasi. Respondents.

O R D E R (ORAL)
(By Hon. Mr. T. L. Verma)
Member-J

This application has been filed for
quashing the order dated 7.12.1993 whereby the
representation of the applicant has been rejected and
for issuing a direction to the respondents to give
.....2/---

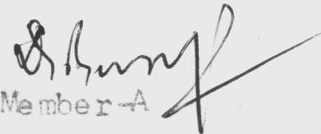
him the benefit of pay-scale of Head Clerk /Office Superintendent Grade-II with arrears. The main ground on which the aforesaid claim has been made is that his juniors namely Sri S.N.Banerji and Sri R.K.Malviya have been given the said benefit with effect from July, 1993. The applicant has already retired in 1982. It is not clear from the material on record as to from which date the applicant is claiming the benefit, prayed for in this application. The Railway Board issued some instructions in 1975 for fixing seniority of Temporary Ex-Crain Shop Staff on absorption in other departments. He submitted a representation for fixing his seniority on the basis of aforesaid instructions on 25.10.1993, 11 years after his retirement. *Nothing was done before that in that regard*

2. In addition to the above, the orders whereby Sri S. N. Banerji and Sri R. K. Malviya have been given promotion and proforma fixation of pay, with arrears of pay have not been filed. There is nothing on the record to show that the applicant was entitled to similar benefits as have been allowed to Sri S.N.Banerji and Sri R.K.Malviya and that he had agitated the issue before appropriate authority while he was in service. The applicant, ^{therefore,} can not ~~be~~ be allowed to raise the issue of his entitlement to promotion and other benefits, at par with Sri S. N. Banerji and Sri

.....3/----

R.K. Malviya 13 years after his retirement.

3. In view of the above we find that this application bereft of any merit and dismiss the same in limine.


Member-A


Member-J

Pandey/-