

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

(5)

Original Application No. 285 of 1994

Allahabad this the 09th day of August, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)
Hon'ble Mr.M.P. Singh, Member (A)

1. Manoj Kumar Saxena, a/a 29 years, Son of Late Sri R.K. Saxena, resident of 1078/a- Civil Lines, Si Sipri Bazar, Jhansi.
2. Vivek Sharma, A/a 29 years, Son of B.R. Sharma, resident of D4 New Agra, Dist. Agra.
3. P.K. Gupta, a/a 29 years, resident of 1073-1-A, Civil Lines, Jhansi.
4. Surendra Mishra, a/a 28 years, resident of Seva Ram Oil Mills, Jhansi.
5. Ompal Sharma, a/a 28 years, resident of Bad Colony, Mathura.
6. D.K. Goel, a/a 28 years, ~~Be~~ Resident of Loco Bad Colony, Mathura.
7. Awadesh Tiwari, a/a 29 years, resident of Barwak-nagar, Jhansi.
8. A.K. Arora, A/a 28 years, resident of Air Force Colony, Agra.
9. Gopal Singh, a/a 29 years, resident of C/o Fatehpur Sikri, Agra.
10. Vinod Kumar Gautam, a/a 28 years, resident of 29 Section 16, Sikandra, District Agra.
11. Farveeen Kumar, a/a 29 years, Son of Daulat Ram

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Sharma, resident of F-10, Mustafa Quarter, Agra Cantt. Distt. Agra.

12. Raj Kumar Dwevedi, a/a 28 years, resident of Adarsh Nagar, Sipri Bazar, District Jhansi.
13. Paras Ram Singh, a/a 28 years, resident of Dildar Nagar, Khati Baba, Jhansi.
14. Rakesh Tripathi, a/a 27 years, resident of Nagra, Jhansi.
15. Sudhir Srivastava, a/a 28 years, resident of near Preme Nagar, Thana, District Jhansi.
16. Sailesh Bansal, a/a 29 years, resident of Adarsh Nagar, Distt. Jhansi.
17. Sudhanshu Srivastava, a/a 29 years, resident of Dildar Nagar, Jhansi.
18. Mahendra Pal Singh, a/a 29 years, resident of C/o Loco Foreman, New Delhi.
19. Ram Bahadur Singh, a/a 29 years, C/o Loco Foreman, New Delhi.

Applicants

By Advocate Shri R.K. Nigam

Versus

1. Chairman, Railway Board, Railway Bhawan, New Delhi.
2. Union of India through General Manager, Central Railway, Bombay VT.
3. Divisional Railway Manager, Central Railway, Jhansi.
4. Senior Divisional Electrical Engineer (TRO), Jhansi.

By Advocate Shri A.K. Gaur

Respondents

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O R D E R (Oral)

By Hon'ble Mr. S.K.I. Nagvi, Member (J)

In this matter, the applicants have sought for as many as 6 reliefs, but during the course of arguments, Shri R.K. Nigam, learned counsel for the applicant has not pressed for reliefs at item no.1, 2 and 4. The reliefs at item no.5 and 6 may be taken as auxiliary reliefs and thereby there remains only relief at item no.3, according to which the applicants have sought for direction to the respondents to issue necessary circular particularly and exclusively creating norms for opening avenues of promotion to running Supervisory cadre/Gazetted cadre to the Diploma holders incumbents who have been fascinated and appointed under the lucrative advertisement dated 10.1.1987, copy of which has been annexed as annexure A-2. ~~As per applicants~~

2. As per applicants case, they were enticed to the post advertised through annexure A-1, which provided promotional avenues and, therefore, they appeared in the examination in pursuance of this advertisement and were appointed after having ~~been~~^{Sec.} successfully competed therein, but after being in service, they find that they have been duped because of non-fulfillments of the commitment on the part of the respondents and, therefore, they have come up before the Tribunal, seeking direction as above.

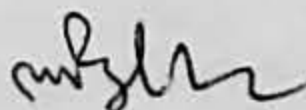
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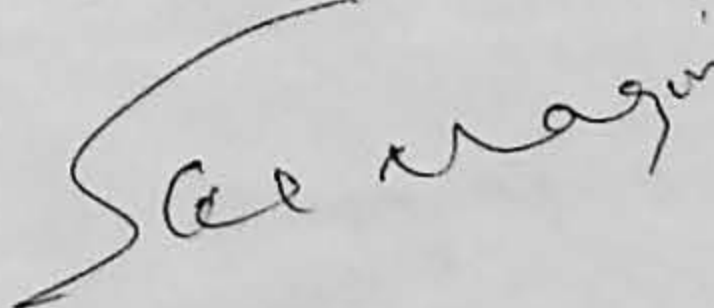
3. The respondents have the case that there is no deviation in the policy as mentioned in annexure A-2 and the applicants have not been denied the promotional avenues, but subject to requirements for the promotion.

4. Heard, the learned counsel for the parties and perused the record.

5. We find that annexure A-1 mentions the opportunities of promotion available to the post advertised therein, but there is no mention of time bound promotion or out of turn promotion giving any advantage to those who have better educational qualifications. There is no denial on the part of the respondents that whenever the applicants come up with the requirement for promotion post, they may be considered for the same. If the applicants expect that we may issue some direction for out of turn promotion in view of the educational qualification held by the candidate, they are very much mistaken, because we are not going to interfere into policy matters of any establishment.

6. For the above, the relief sought for by the applicants, is declined. The O.A. is dismissed accordingly. No order as to costs.


Member (A)


Member (J)