

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

...

O.A. No. 530 of 1995

Dated: 08.06.1995

Hon. Mr. S. Das Gupta, A.M.
Hon. Mr. T.L. Verma, J.M.

Dr. K.M. Tewari,
son of late Sri S.C.M. Tewari,
R/o Sp ring Dale School Lane,
Sughash Nagar, Bareilly-234001, through Sri R.R.
Shukla, Advocate Civil Court, Bareilly . . .Applicant.

(By Advocate Sri R.R. Shukla)

Versus

1. Union of India, through G.M. N.
Rly. Baroda House, New Delhi.
2. Chairman Railway Board, Rail
Bhawan, New Delhi.
3. C.P.O. G.M.(P)N. Rly.
Baroda House, New Delhi.
4. D.R.M. (Schools) N. Rly, Moradabad.

... Respondents.

ORDER

(By Hon. Mr. S. Das Gupta, Member (A))

This Original Application has been filed seeking
relief of a direction to the respondent to promote
the teacher of Higher Secondary School, Bareilly to the
post of Principal on the basis of divisional seniority
and the directions and procedure prescribed by the
Madhyamic Siksha Parishad by which the institution
is recognised and by the rules and procedure
prescribed by the Railway Administration for promotion
of teachers to the post of Principal within the
division after decentralisation of the school
administration.

W.L.

2. We have heard the learned counsel for the at the admission stage and have also carefully gone through the averments made in the O.A.

3. We have noticed that the present applicant had in the past filed a similar application bearing O.A. No. 1233 of 1994 seeking ~~the~~ substantially the same relief as is being sought in the present application. The earlier O.A. was disposed of at the admission stage itself by an order dated 28.9.1994 with a direction to the respondents to consider a representation of the applicant dated 3.3.1993 on merit and dispose of the same by reasoned and speaking order within a specified period. It is now stated that the respondents have not paid any heed to the direction of the Tribunal.

4. We are of the view that no fresh cause of action has arisen after the disposal of the earlier O.A. which can be adjudicated by us. If a direction already given by the Tribunal has not been complied with as alleged, a fresh O.A. cannot be filed seeking the same relief. This application is not maintainable and is dismissed accordingly at the admission stage itself.

J. Shum
Member (J)

W.P.
Member (A)

(n.u.)