

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

O.A.No. 980 of 1999

This the 04th day of June, 2004
HON'BLE MR.JUSTICE S.R.SINGH, V.C.
HON'BLE MR. D.R.TIWARI, A.M.

Sooraj son of Sahdeo aged about
46 years, resident of village
Mirzapur, Post Office Bikapur,
Ghazipur.

...Applicant.

By Advocate: Shri N.Sinha

Versus

1. Union of India - through Ministry
of Railway, Rail Bhawan, New Delhi.
2. Divisional Railway Manager
(Personnel), North Eastern Railway,
Varanasi.
3. The Chief Way Inspector,
Azamgarh.

...Respondents.

By Advocate: Shri Amit Sthalekar

O R D E R

By Hon'ble Vice-Chairman

None for the applicant even in the revised call.
Shri S.K.Pandey, holding brief of Shri Amit Sthalekar,
learned counsel representing the respondents is present.

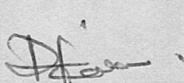
2. We have heard counsel for the respondents and
perused the pleadings.
3. The applicant herein seeks promotion with
retrospective effect from the date his junior was
promoted to Grade - I, in the scale of Rs.4,500/- to

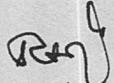
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Rs.7,000/- with full back wages and all other consequential benefits.

4. In the C.A. it is stated that passing the trade test is a condition precedent but the applicant never passed the trade test. The question of being promoted to grade-I in the scale of Rs.4,500/- to Rs.7,000/- does not arise. The applicant, it appears, has been given regular appointment as Mason in the scale of Rs.950/- to 1,500/- vide office order dated 14.7.1995, pursuant to the direction passed by this Tribunal in O.A.No. 333 of 1991 Suraj Vs. U.O.I. & Others. The applicant is still continuing on the post of Mason for the reason that the applicant did not appear in the trade test for further promotion. Earlier retrenchment order was set aside by the Tribunal vide order dated 04.8.1994 and the applicant was reinstated. In paragraph 14 of the C.A. it has been stated that in case the applicant appears in the trade test, he shall be considered for promotion on availability of vacancy.

5. In view of what we have stated above the applicant is not entitled to the reliefs claimed in this O.A. The O.A. is dismissed with no order as to costs.


Member-A


Vice-Chairman

Brijesh/-