

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 9TH DAY OF APRIL, 2003

Original Application No. 608 of 2002

CORAM:

HON. MR. JUSTICE R.R.K. TRIVEDI, V.C.

HON. MAJ. GEN. K.K. SRIVASTAVA, MEMBER (A)

Jagdish Chand, a/a 32 years

S/o Shri Umrao Singh working as

Clerk at Central Railway workshop

Jhansi.

.. Applicant

(By Adv: Shri A.K. Dave)

Versus

1. Union of India through General Manager, Central Railway, Mumbai C.S.T.

2. Chief Workshop Manager, Central Railway, Jhansi.

3. Senior Personnel Officer, Central Railway Workshop Jhansi.

4. Raja Ram, working as Clerk in Central through Senior Personnel Officer Workshop, Jhansi.

5. Ganesh Prasad Shivhare working as Clerk Central Railway Workshop Jhansi through Senior Personnel Officer, Central Railway Workshop, Jhansi.

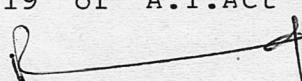
.. Respondents

(By Adv: Shri K.P. Singh)

O R D E R (Oral)

JUSTICE R.R.K. TRIVEDI, V.C.

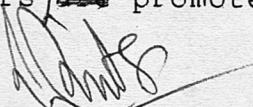
By this OA u/s 19 of A.T. Act 1985, applicant has

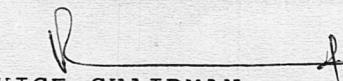


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challenged the seniority list dated 10.2.2000. In the list it is mentioned that the concerned employee may file objection against the seniority list within a period of one month. Applicant has stated in para 4.9 of the OA that representation dated 29.2.2000 was filed against the impugned seniority list. However, the representation has not been decided. In para 14 of the counter affidavit respondents are totally silent about filing of the representation by applicant and also ~~any~~ ^{about} decision taken thereon. In our opinion, the ends of justice will be served if the respondent no.2 is directed to decide the representation of the applicant against impugned seniority list within a specified time and also to consider the impact of the order passed on the representations and the promotions granted during this period.

The OA is accordingly disposed of finally with a direction to the respondent no.2 to consider the representation of the applicant dated 29.2.2000 and decide the same by a reasoned order within three months from the date a copy of this order is filed. It is further made clear that if the representation is allowed, the claim of the applicant for promotion shall also be considered from the date his juniors ~~were~~ promoted. No order as to costs.


MEMBER (A)


VICE CHAIRMAN

Dated: 9th April, 2003

Uv/