

(21)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO. 618 OF 2006

ALLAHABAD THIS THE 9TH DAY OF JULY 2008

HON'BLE MR. N. D. DAYAL, MEMBER-A
HON'BLE MR. ASHOK S. KARAMADI, MEMBER-J

1. S.B. Singh S/o Shri R.Y. Singh, aged about 50 years working as S.S.E., Mechanical Department, H.Q., N. C. Railway, Allahabad.
2. Rakesh Kumar Khare S/o Late Shri Gopi Nath, aged about 48 years working as J.E.-I, Mechanical Deptt., H.Q. N.C. Railway, Allahabad.
3. Lachhaman Prasad S/o Shri Ghure, aged about 36 years working as J.E.-I, Mechanical Department, H.Q., N.C. Railway, Allahabad.
4. S.K. Kushwaha S/o Shri S.M. Kushwaha, aged about 33 years working as J.E.-II/W, Mechanical Department, H.Q., N.C. Railway, Allahabad.
5. O.P. Shukla S/o Shri R. M. Shukla, aged about 41 years working as S.E.-/C&W, Mechanical Department, H.Q., N.C. Railway, Allahabad.
6. Jagannath S/o Shri Budhai Lal, aged about 51 years working as S.S.E. (D) N.C. Railway, Allahabad.
7. Santosh Kumst Singh S/o Late Shri R.D. Singh, aged about 42 years working as J.E.-II, Mechanical Deptt., H.Q. N.C. Railway, Allahabad.
8. D.P. Shukla S/o Late Shri R.B. Shukla, aged about 50 years working as S.E. (D), Mechanical Department, H.Q., N.C. Railway, Allahabad.
9. N.K. Sharma S/o Shri O. P. Sharma, Aged about 39 years working as S.L.I./H.Q., Mechanical Department, H.Q., N.C. Railway, Allahabad.
10. R.K. Gupta S/o Shri S. R. Gupta, aged about 48 years working as S.E.-/C&W, Mechanical Department, H.Q., N.C. Railway, Allahabad.
11. M.M. Akhtar S/o Shri Mohd. Amin, Aged about 49 years working as J.E.-II/Loco, Mechanical Department, H.Q., N.C. Railway, Allahabad.
12. S.K. Gupta S/o Shri M.L. Gupta, Aged about 34 years working as J.E.-II/C&W. Mechanical Department, H.Q. N.C. Railway, Allahabad.

(2)

13. Misbah-ul-Hasan, S/o Late Hamid Hussain aged about 53 yrs. working as S.E.(W), Mechanical Deptt., N.C. Railway, H.Q. Allahabad.
14. M.A. Ali, S/o Shri M.M. Ali, aged about 46 yrs. working as J.E.(I)/C&W, Mechanical Deptt., N.C. Railway, H.Q. Allahabad.

. Applicants

By Advocate : Sri Sudama Ram

Versus

1. Union of India through the General manager, North Central Railway, Headquarters Office, Allahabad.
2. General Manager, North Central Railway, Headquarters office, Allahabad.
3. Chief Mechanical Engineer, North Central Railway, Headquarters Office, Allahabad.
4. Secretary (Estt,), Railway Board, Rail Bhavan, New Delhi-1.

. Respondents.

By Advocate : Shri K.P. Singh & Shri P.N. Rai.

O R D E R

HON'BLE MR. N. D. DAYAL, MEMBER-A

Learned counsel for the applicant has submitted that the applicants are apprehensive that having worked in the headquarter office of the N.C. Railway have come from the division of another Railway now they are required to be sent back with the divisions. But to the N.C. Railway they are found that their seniority as per full length of service as well as their pay scale in the prescribed posts which has been given in headquarter office and the designation of the promoted post may be lost if they are sent out from the headquarter office to the division of N.C. Railway, Allahabad.

(29)

2. Learned counsel for the respondents has stated that keeping in view the various rules and circulars, applicant have produced before court as well as the documents available with the Counter affidavit and the pleadings, the applicants need not be apprehensive.

The instructions and orders imply the following:

- i) The promotions given, the designation of the promoted post shall continue with the employee as personal to him as well as the pay scale of the promoted post.
- ii) Their total length of service shall be counted for seniority and there shall be no change only because they have worked in the headquarter office.
- iii) Their seniority shall be continued taking into account the full length of service both in the concerned division as well in the headquarter office in future.

3. Keeping in view the above assurance which has been taken on record the application is disposed of without any further directions.

4. The OA is disposed of as above. No Costs.



Member-J



Member-A

/ns/