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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.1137 OF 2007

ALLAHABAD, THIS THE 22ND DAY OF NOVEMBER, 2007

HON'BLE MR. JUSTICE KHEM KARAN, VICE-CHAIRMAN
HON'BLE MR. P. K. CHATTERJI, MEMBER-A

Surya Bali,
Aged about 62 years,
S/O Shri Jagannath,
R/O Village-Samda, P.O.-Bari Gohani,
District-Kaushambi. Applicant

By Advocate : Sri S. S. Sharma & Shri R. Sharma

Versus

1. Union of India through the
General Manager, Northern Railway,
Allahabad.
2. The General Manager, Headquarters Office,
North Central Railway, Allahabad.
3. The Divisional Railway Manager,
North Central Railway, Allahabad.

. Respondents

By Advocate : Shri P. N. Rai

O R D E R

HON'BLE MR. JUSTICE KHEM KARAN, VICE-CHAIRMAN

Applicant, who was retired on 30.06.2005 from
service of Railways, prays for directing
D.R.M./N.C.R./Allahabad, respondent no.3 to issue
promotion order to the post of Senior Clerk grade
Rs.4500-7000 and also to the post of Head Clerk in the
grade of Rs.5000-8000 at par with the juniors with
fixation of seniority in each grade and to pay the
difference of pay including pensionary
benefits/retrial benefits.

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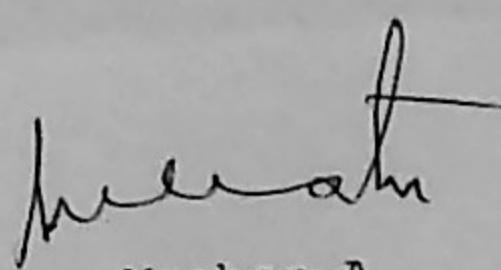
2. It appears that he filed one OA No.498/01, which this Tribunal finally disposed of vide order dated 15.04.2005 (Annexure A-9) asking the respondents to regularize him from the date ~~of~~ his junior in the panel of LDC and to promote him to the post of Clerk in the Grade of Rs.950-1500 with all consequential benefits. He says pursuant to these directions though the applicant was correctly placed in the panel at no.13A and was also taken to the post of Clerk in the grade of Rs.950-1500 but in the meanwhile on 16.08.2001, juniors had already been promoted to the post of Senior Clerk and the case of the applicant was not considered for this promotion pursuant to the said directions of the Tribunal. He says that he has already given representation (copy of which Annexure A-13) dated 11.09.2007 but nothing has been done on that representation. In other words, this is not a case where the respondents have expressly turned down the request of the applicant for promotion to the post of Senior Clerk from the date such promotion was given to his junior, so proper course seems to be is to direct the respondent no.3 to consider the said representation dated 11.09.2007 (Annexure A-13) in accordance with rules and in the light of our earlier order dated 15.04.2005 in OA No.498/01 and pass suitable orders within the time to be fixed by this Tribunal.

3. The OA is accordingly, disposed of at admission stage with direction to respondent no.3 to consider

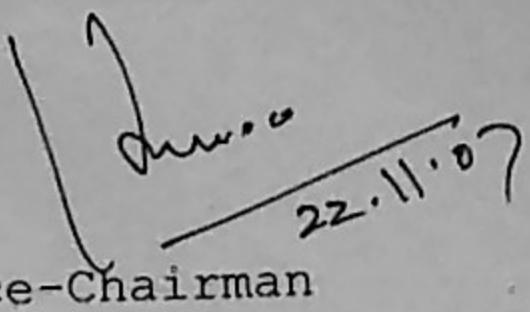
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and disposed⁵ of representation dated 11.09.2007
(Annexure A-13) in accordance with rules and in the
light of the observations made above, within a period
of three months from the date^a certified copy of the
order together with the ^{copy}^b of the said
representation is produced before him. No Costs.



Member-A


22.11.07

Vice-Chairman

/ns/