

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. NO. 614 OF 1987.

~~Section No.~~

DATE OF DECISION 13-7-1994.

Shri Hitesh D. Parikh & Ors. Petitioners

Mr. K.K. Shah Advocate for the Petitioner (s)

Versus

Union of India & Ors. Respondents

Mr. N.S. Shevde Advocate for the Respondent (s)

CORAM

The Hon'ble Mr. N.B. Patel, Vice Chairman.

The Hon'ble Mr. V. Radhakrishnan, Admin. Member.

JUDGMENT

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

No

1. Shri Hitesh D. Parikh,
2. Shri J.R. Gadarla
3. Shri M.D. Shah
4. Shri M.C. Dave
5. Shri M.S. Shah
6. Shri A.G. Brahmabhatt
7. Shri S.M. Wadhva
8. Kum. Saroj M. Deshmukh
9. Shri H.R. Desai
10. Shri J.M. Trivedi

All are working with Western Railway, Bafeda Division, Baroda.

.... Applicants.

(Advocate: Mr. K.K. Shah)

Versus

1. Union of India,
notice to be served through
General Manager,
Western Railway,
Churchgate, Bombay.
2. Financial Adviser & Chief
Accounts Officer,
Western Railway,
Churchgate, Bombay.
3. Senior Divisional Accounts Officer,
Western Railway,
D.R.M. Office,
Pratapnagar, Baroda.
4. Joint Director Establishment (P&A),
Railway Board, Rail Bhavan,
New Delhi.
5. Mrs. Sudha A. Nair
6. Shri G.P. Gandhi
7. Shri K.M. Patel
8. Shri S.K. Desai
9. Mrs. Shila Chatterji
10. Mrs. Sangeeta R. Makwana
11. Shri S.G. Kavade
12. Shri S.J. Joshi
13. Shri J.S. Makwana
14. Shri M.L. Parmar

.... Respondents

(Advocate: Mr. N.S. Shevde for
Respondent No. 1 to 4)

ORAL ORDER

O.A.No. 614/1987

Date: 13-7-1994.

Per: Hon'ble Mr. N.B. Patel, Vice Chairman.

We have heard Mr. K.K. Shah for the applicants at considerable length. We have also heard Mr. Shevde to some extent in respect of the queries raised by us. Mr. Shah states that on behalf of the promotees, a representation dated February 24, 1987, Annexure A/9, is made to the Railway Board, but no decision is still taken on that decision. Mr. Shah further states that at this stage the applicants will be satisfied, if the Railway Board is directed to take a decision on the aforesaid representation within a stipulated ^{after} time limit and considering all the relevant provisions having a bearing on the subject of fixation of seniority of direct recruits and promotees in the cadre of Clerk Grade - I (Junior Accounts Assistants as re-designated) and also considering the additional grounds in writing which both the groups may submit to the Railway Board in support of their rival claims. Accordingly we direct the Railway Board to decide the aforesaid representation within a period of six months from the date of the receipt of a copy of this order considering all the relevant provisions having a bearing on the subject of fixation of seniority of both the groups of the incumbents of the post of C.G.I (Junior Accounts Assistants).

(97)

and also considering the additional grounds in writing which both the groups may furnish in support of their rival claims. The respondents are also directed to issue promotion order, if any, hereafter ~~subject on~~ ^{on} the condition that such promotion will be subject to the result of the decision ~~on~~ the aforesaid representation. In view of these directions Mr. Shah seeks permission to withdraw the O.A. with liberty to file fresh O.A in the event of the applicants feeling aggrieved by the decision that may be taken by the Railway Board. Permission granted with liberty as prayed for. The group of direct recruits will also have the same liberty if they are aggrieved by the decision that the Railway Board may take in this matter. O.A. Stands disposed of accordingly. No order as to costs.


(V. Radhakrishnan)

Member (A)


(N.B. Patel)
Vice Chairman

vtc.

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

Original Petition No : 616 of 1987.

Miscellaneous Petition No. _____ of _____.

Shri H. D. Patel Petitioner

Versus

Union of India & Ors

This application has been submitted to the Tribunal by Shri P. K. Shah Adv Under section 19 of the scrutinised with reference to the points mentioned in check list in the light of the provisions contained in the Administrative Tribunals Act, 1985 and Central Administrative Tribunal (Procedure) Rules, 1985.

The application has been found in order and may be listed on 01.12.87 for admission/order.

OR

The application is not been found in order for the reasons indicated in the check list. The applicant may be advised to rectify the same within 21 days-Draft letter is placed below for signature.

The applicant has since removed the defects and the application may now be listed for admission.

30/11/87

Op. to

30/11/87

~~Asstt.~~ WZM This is a fresh matter may be listed on
DXC 01-12-1987 for admission

M. Patel
30/11/87