

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH  
~~NEW DELHI~~

O.A. No. 236 of 1988.  
~~T.A. No.~~

DATE OF DECISION 29.7.1991

Bahadursing Raising Solanki Petitioner

Mr. U.M. Shastri Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

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

CORAM :

The Hon'ble Mr. M.M. Singh .. Member (A)

The Hon'ble Mr. S. Santhana Krishnan .. Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement? *Y/S*
2. To be referred to the Reporter or not? *NA*
3. Whether their Lordships wish to see the fair copy of the Judgement? *NA*
4. Whether it needs to be circulated to other Benches of the Tribunal? *NA*

Bahadursing Raising Solanki,  
working as Train Clerk,  
under Station Superintendent,  
Western Railway,  
Godhra.  
(Advocate-Mr. U.M. Shastri)

: Applicant

Versus

1. Union of India,  
Through :  
General Manager, W.Rly.,  
Churchgate,  
Bombay-1.
2. Divisional Railway Manager,  
Baroda Division,  
Pratapnagar,  
Baroda-4.
3. Station Superintendent,  
Godhra Station,  
Godhra.  
(Advocate - Mr. N.S. Shevde)

: Respondents

O.A. No. 236/88

O R A L - O R D E R

Dated : 29.7.1991

Per : Hon'ble Mr. M.M. Singh : Member (A)  
*1. Heard Mr. U.M. Shastri and Mr. N.S. Shevde, learned counsel for the parties.*


2. This Original Application, under section 19 of the Administrative Tribunals Act, 1985, challenges as seen in averment in para 5 of the application, the order dated 2.2.1988 allegedly passed over-looking the position of the applicant working in class III post with his confirmation as Platform Porter at Derol Station. *in such* As if the applicant is working at Baroda Yard in class IV post. The prayers for relief in para 11 of the application are that the order of reversion at Exhibit-B may be quashed and set aside and declaration that the applicant is entitled to be continued as class III employee as Train Clerk also sought.


3<sup>r</sup>

2. Exhibit-B, according to the Index of the application has pages 8 to 10 in it. In these pages figures <sup>on</sup> of order dated 2.2.1988 showing list of 29 employees who have been regularised in class IV. The applicant's name figures at sr. No. 24 which only says that he has been regularised as Platform Porter at Derol. Platform Porter is a class IV post. No order has been produced with the application or otherwise to show that the applicant was promoted from class IV to class III and if so on what terms and conditions. There is no order produced to show that he was promoted from class IV to class III and is ordered to be reverted <sup>to</sup> class IV. H

3. When the above is the state of record in the Original Application, we consider it unnecessary to go into any other <sup>case</sup> paper as the application is liable to be dismissed for substantiating none of the contentions except that the applicant was regularised in class IV and that he submitted representation dated Nil.

4. We hereby dismiss the application but in the <sup>para</sup> circumstances (no order as to cost. The <sup>to</sup> say order of <sup>vacated</sup> this Bench dated 28.4.1988 is lifted with immediate effect.

  
(S Santhana Krishnan)  
Member(J)

  
( M M Singh )  
Member(A)