

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

O.A. No. 58
~~Exx No.~~

~~198~~ 12 1991

DATE OF DECISION 21.3.1991

Shri Yusuf Abdulla Samol, Petitioner

Mr.M.A.Kadri 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

: Administrative Member

The Hon'ble Mr. R.C.Bhatt

: Judicial Member

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

(29)

Shri Yusuf Abdulla Samol,
Residing at 2217 Kachhia Sheri,
Tamakuwala ni Khadki, Jamalpur,
Ahmedabad.

: Applicant

(Advocate: Mr.M.A.Kadri)

Versus

1. Union of India

Through :

The General Manager,
Western Railway,
Head Quarter Office,
Churchgate, Bombay-20

2. The Divisional Rail Manager,
Baroda Division,
Baroda Divisional Office,
at Pratapnagar, Baroda.

: Respondents

(Advocate: Mr.N.S.Shevde)

O R A L O R D E R

Date: 21.3.1991

Per: Hon'ble Mr. M.M.Singh; Administrative Member

1. Heard Mr.M.A.Kadri and Mr.N.S.Shevde, learned counsel for the applicant and the respondents.
2. In this original application under Section 19 of the Administrative Tribunals Act, 1985, the averments of the applicant and submission on his behalf are that he was given promotion by an order dated 18.7.1988 which he ^h ~~is~~ refused. Thereafter as a result of this refusal he was debarred for promotion for one year. After such debarment the applicant was promoted by order dated 9.1.1990 and in the pay scale of Head Goods Clerk at Rs.1400-2300, ^{as h} ~~the~~ pay scale of the promotion post, ^{as h} his pay was fixed at Rs.1720. The applicant's prayer is that his pay should be fixed at Rs.1720 w.e.f. 27.7.1989 on the ground that the debarment ended on 27.7.1989 one year after his refusal of promotion.

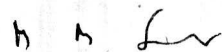
4

3. The learned counsel for the applicant has not been able to show us any rule or precedent which directs that as soon as the period of debarment ends, the respondents must promote the applicant so debarred from the date next to the end of the period of debarment. In the absence of any such rule or precedent, the application is untenable.

4. We hereby reject the same.



(R.C.Bhatt)
Judicial Member



(M.M.Singh)
Administrative Member

a.a.b.