

*NO. 10
Seniority
Promotion*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

B

O.A. No. 453/1992

~~T.A. No.~~ ~~XXXXXX~~

DATE OF DECISION 20-11-1992

Jagdishchandra B. Patel, Petitioner

Mr. P.K. Handa, Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent(s)

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

CORAM :

The Hon'ble Mr. N.V.Krishnan, Vice Chairman.

The Hon'ble Mr. R.C.Bhatt, Judicial Member.

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

Jagdishchandra, son of
Shri Bhikhabhai Patel,
resident of Baroda, working as
Sr. Lecturer in Zonal Training
School, Baroda, residing at
'Nilkanth' Block No. B/8
Khodal Nagar Society, Behind
Avdhut Society, Vishwamitri,
Road, Baroda.

..... Applicant.

(Advocate: Mr. P.K. Handa)

Versus.

1. Union of India, owing and
represented by General Manager,
Western Railway, Churchgate,
Bombay - 20.

2. Chief Electrical Engineer,
Western Railway, Churchgate,
Bombay - 20.

3. Divisional Railway Manager,
Western Railway,
Pratapnagar, Baroda.4.

Respondents.

(Advocate: Mr. N.S. Shevde)

ORAL ORDER

O.A.No, 453/1992

Date: 20-11-1992.

Per: Hon'ble Mr. R.C.Bhatt, Judicial Member.

Heard Mr.P.K. Handa for the applicant ~~and~~

Mr. N.S. Shevde waives notice and enters appearance for
the respondents. This application filed by the
applicant, serving as Sr. Lecturer in Zonal Training
School, Baroda, can be disposed of at the admission
stage itself.

2. The applicant has filed this application
under section 19 of the Administrative Tribunals Act
praying to quash and set aside the seniority list
published on 11th June 1991, produced at Ann. A and

has further prayed for direction to the respondents to prepare a fresh seniority list reckoning the seniority of the applicant at an appropriate place etc. We have perused this seniority list under challenge produced at Annexure A and we find that it is a provisional seniority list in which it is specifically mentioned that if representations are to be made by any party, the same should be sent to the divisional office Baroda within a period of one month from the date of the receipt of the said letter dated 14th June, 1991. The learned advocate for the applicant has submitted that the applicant has received this letter ~~date~~ on ~~which was~~ 9th July, 1991 and he has made representation ~~with~~ ^{to} ~~ed~~ ^{by} forwarding letter dated 6th August, 1991 vide Annexure A-9. The learned advocate for the applicant submits that the respondents have not disposed of the ~~represent~~ representation of the applicant and revised seniority list. The learned advocate for the respondents has submitted that an appropriate ~~place~~ be given to the respondents. The learned advocate for the respondents submits that the respondent No.2 would be appropriate authority who can dispose of the representations received by him. Hence we dispose of this application with the following direction.

O R D E R

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The respondents No.2 is directed to dispose of the representation of the applicant dated 5th August,

1991 which was forwarded with the forwarding letter Annexure A-9 dated 6th August, 1991, according to law and rules applicable to the applicant at the earliest, if not decided by the time the respondent No.2 receives the copy of this order. In case the applicant feels aggrieved by the ultimate order of the respondent No.2, he is at liberty to approach this Tribunal. No orders as to costs.

R.C.Bhatt
(R.C.Bhatt)
Member (J)

N.V.Krishnan
20/1/92
(N.V.Krishnan)
Vice Chairman

vtc.