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O.A. No. 10 of 2005

Order dated: 02.01.2008

CORAM:

Hon'ble Shri D.K.Sahu, Member (J)

Hon'ble Shri C.R.Mohapatra, Member (A)

Heard Mr. S.Parida, Ld. Counsel for the applicant and Mr. O.N.Ghosh, Ld. Counsel for the Respondent Railways.


2. In O.A.No. 34/98, this Tribunal in their order dated 21.02.1989 have directed the Respondents to absorb the applicant in the post of Ticket Collector either at Khurda Road or in any other Division subject to the decision that his seniority would go to the bottom ^{of} ~~to~~ the list. In obedience thereto, the Respondent authorities have issued the order of appointment dated 25.09.1991 at Annexure-11 but the applicant has not joined to that post till 2001, Again an order has been passed vide Annexure-12 and he joined to the post, wherein the terms and conditions contained in letter dated 25.09.1991 remained unchanged.

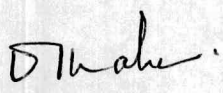
3. The applicant has been given bottom seniority as on 25.09.1991. Now he claims seniority in that cadre from the date of the order of this Tribunal i.e. 21.02.1989.

4. The Tribunal has not passed any order to give him seniority from the date of order. The applicant was to be placed at the bottom of that cadre on the date of his joining. Although he joined in 2001, the Respondents authority appears to be considerate enough to give him seniority

w.e.f. 25.09.1991, the date on which the order Annexure-11 has been issued. Thus applicant's claim to get seniority w.e.f. the date of this Tribunal's order contains no force.

5. After careful consideration, we find that the claim of the applicant does not contain any force and the O.A. is not sustainable. So, it is dismissed. No order as to costs.


MEMBER (A)


MEMBER (J)