

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH.

No. O.A. 1032 of 1996.  
M.A. 177 of 1997.

Date of order : 10.6.1997.

Present : Hon'ble Mr. Justice A.K.Chatterjee, Vice-Chairman.

Hon'ble Mr. M.S.Mukherjee, Member (A)

A. K. PANDEY

VS.

UNION OF INDIA & ORS.

For applicants : Mr. R.N.Das, Sr. Counsel.  
Mr. B.Mukherjee, Counsel.

For respondents : Mr. C.Samaddar, Counsel for Govt. respnds.  
Mr. Samir Ghosh, Counsel for pvt. respnds.

Heard Mr. Samir Ghosh, 1d. counsel, who files power for certain persons <sup>*The work*</sup> appear to be impleaded as <sup>*party*</sup> respondents. Let these persons be impleaded as party respondents. Registry is directed to amend the cause title accordingly.

2: Hearing the 1d. counsel for both the parties and considering the circumstances of the case, the application is admitted. Reply be filed by the added respondents within four weeks. Mr. C.Samaddar, 1d. counsel for the official respondents, submitted that <sup>*no further reply need be filed as*</sup> reply has already been filed.

3. Mr. Samaddar, 1d. counsel for the official respondents, prays for modification of the interim order passed on 14.2.97 at the time of disposal of the M.A.26 of 1997. That interim order was passed to the effect that promotion of 62 Sr.Diesel Assistants and Diesel Assistants to the post of Shunter as detailed in the annexure to the Misc. application, marked RR, shall abide by the result of the O.A., but no further promotion shall be given until further order. Mr. Samaddar further submitted that if promotions are not given, staff in the locoshed will be less than its required strength and this would cause administrative inconvenience. We appreciate the <sup>*force*</sup> ~~*fear*~~ of the contention made on behalf of the official respondents. We,

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therefore, modify the interim order passed on 14.2.97 to the effect that further promotion ~~of~~ of the Sr. Diesel Assistants and Diesel Assistants to the post of Shunter from the list annexed <sup>to the said notice</sup> ~~supplementary~~ application may be given, but such promotion shall abide by the result of the case.

4. Liberty is given to the applicant to pray for an early hearing.

5. Plain copy of this order may be handed over to all the counsel.

*MR*  
MEMBER (A)

*A. C. L.*  
VICE-CHAIRMAN.