

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH, JODHPUR.

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Date of Decision: 10.9.9

OA 30/97

1. Ishwar Lal, Diesel Mechanic Grade-I in the office of the General Foreman, Diesel Shed, Bhagat Ki Kothi, Jodhpur.
2. Rupchand, Diesel Mechanic Grade-I in the office of the General Foreman, Diesel Shed, Bhagat Ki Kothi, Jodhpur.
3. Asu Lal, Diesel Mechanic Grade-I in the office of the General Foreman, Diesel Shed, Bhagat Ki Kothi, Jodhpur.

... Applicants

Versus

1. Union of India through the General Manager, Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway, Jodhpur Division, Jodhpur.
3. Divisional Personnel Officer, Northern Railway, Jodhpur Division, Jodhpur.
4. Shri Jugal Kishore, MCM c/o General Foreman, Diesel Shed, Bhagat Ki Kothi, Jodhpur.
5. Shri Balbeer Singh, MCM, c/o General Foreman, Diesel Shed, Bhagat Ki Kothi, Jodhpur.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.O.P.SHARMA, ADMINISTRATIVE MEMBER

For the Applicants

... Mr.S.K.Malik

For Respondents No.1 to 3

... Mr.S.S.Vyas

For Respondents No.4 & 5

... None

ORDER

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicants, named above, have filed this application u/s 19 of the Administrative Tribunals Act, 1985, praying mainly for the following reliefs :-

- i) That by an appropriate writ, order or direction, impugned order (Annexure A/1) dated 22.1.97 and Annexure A/2 dated 5.12.96 and order dated 15.1.97 (Annexure A/7) be declared illegal and be quashed and set aside.
- ii) By an appropriate writ, order or direction, respondents may be directed to restore the seniority list dated 26.12.95 (Annexure A/3) and further respondents may be directed to promote the applicants on the post of Master Craftsman grade 1400-2300 from the date, respondents No.4 & 5 were promoted with all financial benefits including arrear of pay alongwith interest @ 24% per annum."

C.K. Kher

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2. We have heard the learned counsel for the parties.

3. It has been stated by the respondents that the seniority list under challenge has already been revised as per the latest instructions of the Railway Board dated 28.2.97 and the accelerated seniority of the applicants, received before 10.2.95, has already been restored and the applicants have been given promotion on the post of Diesel Mechanical Master Craftsman grade Rs.1400-2300. It has also been conceded by the learned counsel for the applicants that the reliefs claimed by the applicants have been granted to them. The OA is, therefore, dismissed as having become infructuous. No order as to costs.

(O.P. SHARMA)

ADM. MEMBER

VK

(GOPAL KRISHNA)

VICE CHAIRMAN