

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

..... Date of Order : 7.4.2000.

O.A.NO.15/99

Kana Ram S/o Shri Shimratha, Highly Skilled Fitter I, Carriage and Wagon Depot, Northern Railway, Bikaner. R/o Gajner Road, Chokunti, Near Railway Crossing, Bikaner.

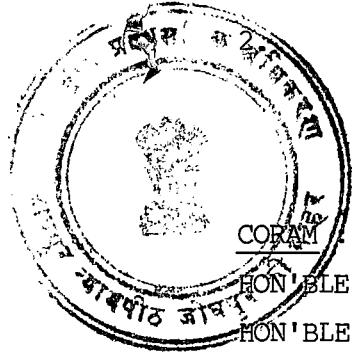
.....Applicant.

versus

1. Union of India through the General Manager, Northern Railway, H.Q. Office, Baroda House, New Delhi.

The Divisional Personnel Officer, Northern Railway, Bikaner Division, Bikaner.

.....Respondents.



HON'BLE MR.A.K.MISRA, JUDICIAL MEMBER

HON'BLE MR.GOPAL SINGH, ADMINISTRATIVE MEMBER

.....
Mr.Y.K.Sharma, Counsel for the applicant.

Mr.Kamal Dave, Counsel for the respondents.

.....
PER HON'BLE MR.GOPAL SINGH, ADMINISTRATIVE MEMBER :

In this application under Sec.19 of the Administrative Tribunals Act, 1985, applicant Kana Ram has prayed for setting aside the impugned order dated 19.11.98 at Annex.A/1 and for a direction to the respondents to allow the applicant to appear for the selection for the post of Junior Engineer II (C&W).

2. The contention of the applicant is that he is senior to the Shri Zahoor Mohammed who has been called for the above mentioned selection test and he should have also been called for the said selection.

3. In the counter, the respondents have pointed-out that Shri

Gopal Singh

Zahoor Mohammed is senior to the applicant as Shri Zahoor Mohammed was promoted to the post of Mason Grade I Scale Rs. 1320-2040 on 1.1.84 and the applicant was promoted as Fitter Grade I Scale Rs. 1320-2040 on 19.9.90. Further, it has been averred by the respondents that the applicant figured at Sl.No.13 of the combined seniority list and only first 12 candidates were called for selection against four posts as per the prescribed norms. Therefore, it has been contended by the respondents that the application is devoid of any merit and deserves to be dismissed. The learned counsel for the applicant has not challenged the above stand of the respondents.



4. We have heard the learned counsel for the parties and have gone through the record.
5. It is also seen from seniority lists submitted by the applicant vide Annex.A/3, that Shri Zahoor Mohammed is senior to the applicant in the grade Rs. 1320-2040. Thus, the application is devoid of any merit and deserves to be dismissed.
6. The Original Application is accordingly dismissed with no order as to cost.

Gopal Singh
(GOPAL SINGH)
Adm. Member

A.K.Misra
(A.K.MISRA)
Judl. Member

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jrm

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Plenty
Sgt
B.L.D.K
(C.Y.K. Gaman)

Part II and III destroyed
in my presence on 16/10/06
under the supervision of
section officer (J) as per
order dated 23/8/06

Section officer (Record)