

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

ORIGINAL APPLICATION NO:140/2008.

DATED THE 1st DAY OF JULY, 2009.

CORAM:

**HON'BLE Mr GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Ms K NOORJEHAN, ADMINISTRATIVE MEMBER**

T Satheesan,
working as Manager/Grade II/
Southern Railway Staff Canteen/
Trivandrum. Residing at
"Karthika", Valiazhikom,
Asramom PO, Kollam-691 002. ... Applicant

By Advocate Mr M P Varkey

V/s

- 1 Union of India represented by
General Manager,
Southern Railway, Park Town,
Chennai-600 003.
- 2 Chief Personnel Officer,
Southern Railway, Park Town,
Chennai-600 003.
- 3 Senior Divisional Personnel Officer,
Southern Railway,
Trivandrum – 695 014.
- 4 K P Mohan,
Manager/Grade II/
Railway Staff Canteen/Carriage Works,
Perambur, Chennai-600 011.
- 5 G Rajendran, Manager/Grade II/
Railway Staff Canteen,
Tondiarpet Marshalling Yard,
Chennai- 600 081.
- 6 C R Rajasekharan Nair,
Manager, Grade II,
Southern Railway Staff Canteen,
Trivandrum-695 014. ... Respondents

By Advocate Mr P Haridas (R 1-3)
Mr T C G Swamy (R 4&5)

This application having been heard on 01.07.2009 the Tribunal on the same day delivered the following

(ORDER)

HON'BLE Mr GEORGE PARACKEN, JUDICIAL MEMBER

The applicant has filed this OA seeking the following reliefs:-

- a) declare that the absorption of the 4th respondent as Canteen Manager Grade II and his ranking as Serial No.1 among Canteen Managers, Grade II in scale Rs.4000-6000 is unjust, illegal, contrary to A-11 rules and issued without jurisdiction and, quash A-10 letter seniority list to that extent.
- b) Declare that the applicant is entitled to be promoted as Senior Manager in scale Rs.5000-8000 with effect from 1.6.2006 and ranked accordingly in A-10 seniority list with attendant benefits and; direct the official respondents accordingly.
- c) Pass such other orders or directions as deemed just fit and necessary in the facts and circumstances of the case."

The applicant's claim is that he should have been assigned the seniority as Manager Grade II in the place of 4th respondent on the ground that the 5th respondent Shri G Rajendran and the 6th respondent Shri C R Rajasekharan were not be interested for the aforesaid post. Today, when the matter was taken up for consideration, Advocate Mr M P Varkey, learned counsel for applicant has fairly submitted that since Shri G Rajendran has now staked his claim for the aforesaid post and the applicant being junior to him in the seniority list of Manager Grade II, he has no valid claim for the post of Manager Grade II.

Shri Varkey has, therefore, sought permission to withdraw the OA.

In view of the aforesaid submission of Shri Varkey, the OA is closed.. There shall be no orders as to costs.


K.NOORJEHAN
ADMINISTRATIVE MEMBER


GEORGE PARACKEN
JUDICIAL MEMBER

abp