

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No. 258 of 1994

Thursday this the 13th day of July, 1995.

CORAM

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR. S.P. BISWAS, ADMINISTRATIVE MEMBER

1. P.A.Varghese II, Head Clerk,  
Office of the Sr.Divisional  
Commercial Manager, S.Rly, Trivandrum.14.
2. C.Ponnumany, Head Clerk,  
Office of the Sr.Divisional Commercial  
Manager, S.Rly, Trivandrum.14.
3. Babu Santhosham, Head Clerk  
Office of the Sr.Divisional Commercial  
Manager, S.Rly, Trivandrum.14.

... Applicants

(By Advocate Mr. K.M.Anthru)

Vs.

1. The Divisional Railway Manager,  
Southern Railway, Trivandrum.14.
2. The Divisional Personnel Officer,  
Southern Railway, Trivandrum.14.
3. The Sr. Divisional Commercial Manager,  
Southern Railway, Trivandrum.
4. The Railway Board through its  
Chairman, Railway Board,  
Rail Bhavan, New Delhi.
5. G.Vamadevan, Chief Clerk,  
Office of the Sr.Divl.Comml.Manager,  
Southern Railway, Trivandrum.

... Respondents

(By Advocate Mrs. Sumati Dandapani for R.1to4)

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

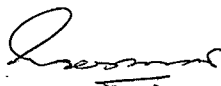
Applicants who are Head Clerks in the scale  
1400-2300 seek appointment to the post of Chief Clerk  
in the scale of 1600-2660. According to them A1 and A2

orders are orders "upgrading the post of Head Clerks" and therefore by reason of their seniority, they should get the "upgraded post".

2. Either the applicants have misread the orders or they are attempting to distort it. We find it difficult to assent to the submission that the posts of Head Clerks have been "upgraded." A2 can leave no doubt about the creation of a distinct and different post of Chief Clerk in the scale 1600-2660. There is no up-gradation. A1 paragraphs 4 and 4.2 give the clear indication that the post in question is to be filled by selection. Applicants though seniors are said to be lacking in merit (para 4 of the reply statement). Therefore, they are not entitled to get the reliefs prayed for.

3. The application is without any semblance of merit and we dismiss the same. No costs.

Dated the 13th day of July, 1995.



S.P. BISWAS  
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)  
VICE CHAIRMAN

LIST OF ANNEXURES

Annexure A1: True copy of the Railway Boards letter No.PC.III/91/CRC/1 dt 27.1.93. Issued by the Railway Board (Respondent-4).

Annexure A2: True copy of Letter No.V/P.524/III Off.Clk. dt. 12.6.93 issued of the Divisional Personnel Officer, S.Rly, Trivandrum-14 (2nd respondent)