

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.285/94

Tuesday, this the 15th day of February, 1994

C O R A M

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

....

D Jayakumar, AC Khalasi,  
Southern Railway,  
Mangalore, Palghat Division.

....Applicant

By Advocate Shri P Sivan Pillai.

Vs.

1. Union of India through  
The General Manager,  
Southern Railway, Madras-3.

2. The Divisional Personnel Officer,  
Southern Railway, Trivandrum-14.

3. The Senior Divisional Electrical Engineer,  
Southern Railway, Palghat.

4. The Divisional Railway Manager (P),  
Southern Railway, Palghat.

....Respondents

By Advocate Shri Thomas Mathew Nellimootil.

O R D E R

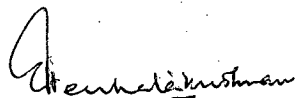
CHETTUR SANKARAN NAIR (J), VICE CHAIRMAN

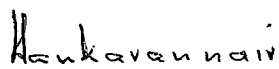
Applicant submits that he is entitled to reckon seniority from 5.6.1989. He would submit further that those who entered service later have been placed above him, and sent for what is known as the 'aptitude test for higher post'. He submits further that his claims are fully supported by the decisions in OAK 159/88, OA 1226/90 and OA 826/92.

2. We direct Respondent-4 to consider Annexure A5, where identical contentions are raised. While doing so, he will also examine the applicability of the decisions aforementioned. Meanwhile, applicant will be permitted to appear at the 'aptitude test in Electrical AC side' for the post of ACCA contemplated by Annexure A6. Result of the examination will be subject to the decision to be taken on Annexure A5.

3. With these directions, we dispose of the application. No costs.

Dated the 15th February, 1994.

  
PV VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
CHETTUR SANKARAN NAIR (J)  
VICE CHAIRMAN