

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

Original Application No. 282 of 1991 (L)

Versus

Union of India & Others Respondents.

Hon'ble Mr. Justice U.C.Srivastava, V.C.

Hon'ble Mr. K. Obayya, Member (A)

(By Hon'ble Mr. Justice U.C.Srivastava,VC)

The applicant who was appointed as a Khalasi in the year 1961 and after passing trade test, he was promoted on the post of Semi Skilled and was further promoted on the post of Fitter Grade-II on 1.1.1984. In the year 1986 another trade test took place and the applicant was declared successful for Highly skilled Fitter Grade-I. One post of Highly skilled Fitter Grade-I was vacant. The applicant made a representation for his promotion on the said post, but it was wrongly given to one Sri K.L. Sharma and forty roster point was not given effect to, but on retirement ^{point} one Sri Brij Lal respondent no. 3 was promoted, which was not in accordance with the Railway Board's circular, as the applicant represented against the same and thereafter has approached the tribunal.

2. From the own documents filed by the applicant it appears that the Brij Lal entered in the service prior to the applicant and got intervening promotion before him. He is also the member of a Schedule Caste candidate. The respondents in the counter-affidavit have pointed out that Brij Lal is also a member of Schedule Caste and he has also passed the trade test and is senior to the applicant and that's why he was

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promoted. As the posts have gone to the member of Schedule Caste Candidates, the ground on which the applicant has claimed the post and the person who is senior to him, has been given that post, the applicant can not claim the promotional post on this ground. In case, the applicant obviously will get promotion in accordance with law as and when his turn comes. With the above observations, the application is dismissed. No order as to cost.

R. K. Agrawal
Member (A)

L.
Vice-Chairman

Lucknow Dated 17.11.1992.

(RKA)