

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

(S)

O.A. NO: 787/88

199

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DATE OF DECISION 15.9.1993

Shri S.R.Thaknaik

Petitioner

Applicant in person

Advocate for the Petitioners

Versus

Sr. Supdt.of Post Offices, Akola & Ors Respondent

Shri M.G.Bhangade

Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. Justice M.S.Deshpande, Vice Chairman

The Hon'ble Ms. Usha Savara, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ? *yes*
2. To be referred to the Reporter or not ? *no*
3. Whether their Lordships wish to see the fair copy of the Judgement ? *no*
4. Whether it needs to be circulated to other Benches of the Tribunal ? *no*

U. Savara
(USHA SAVARA)
MEMBER (A)

(M.S.DESHPANDE)
VICE CHAIRMAN

mbm*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH, BOMBAY

CAMP : NAGPUR

(6)

OA.NO. 787/88

Shri Suresh Ramchandra Thaknaik ... Applicant

V/S.

Sr. Supdt. of Post Offices, Akola & Ors. ... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice M.S.Deshpande
Hon'ble Member (A) Ms. Usha Savara

Appearance

Applicant in person

Shri M.G.Bhangade
Advocate
for the Respondents

ORAL JUDGEMENT

Dated: 15.9.1993

(PER: M.S.Deshpande, Vice Chairman)

The applicant was appointed as a Postman on 5.4.1952 and as a Clerk on 24.2.1954. He was promoted on 12.1.1982 as Lower Selection Grade. A notice was issued to him on 29.6.1988 because the date of the applicant's entry in the clerical cadre was 24.2.1954 and not 5.4.1952 as was entered in the Circle Gradation List. It was, therefore, proposed to revise his seniority by assigning him C.G.L. No. 859-A in place of C.G.L.No. T-492 in Part-II of the list. He was also informed that his notional promotion will be altered to 26.9.1982 and if he had any representation to make against the proposal, he may do so within seven days. The applicant made thereafter a representation on 6.7.1988 but the representation does not show any thing about the date of entry in the clerical cadre being 24.2.1954. We, therefore, see no merit in the applicant's contention that his seniority should be fixed afresh.

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2. The next contention was regarding the supervisory allowance that was admissible but the applicant by his letter dated 18.9.1986 stated that he was unwilling then to work against Supervisory Post carrying allowance. In view of this letter, he cannot now make a grievance that he was entitled to the allowance which went with the Supervisory post.

3. The last submission was that he should have been given seniority over M.S.Sakalkale. Shri Bhangade, learned counsel for the respondents produced before us the Gradation List in which the name of M.S.Sakalkale appears at Sr.No. 353 while that of applicant at Sr.No. 492. Sakalkale was promoted on 15.7.1954 but that was on the passing of an examination for recruiting 1/3 of the quota while the applicant ^{ed} belongs to the other category which was in respect of promotees who had not taken the examination. Since Sakalkale belonged to the entirely different category, the applicant cannot make a grievance regarding the seniority assigned to Sakalkale.

4. We, therefore, see no merit in the application. It is dismissed.

U. Savara
(USHA SAVARA) 5.9.92
MEMBER (A)

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(M.S.DESHPANDE)
VICE CHAIRMAN

mrj.