

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT SITTING AT NAGPUR
BOMBAY BENCH, 'GULUSTAN', BUILDING NO.6
PRESCT ROAD, BOMBAY 1

CA NO.508/92

S Z Meshram

..Applicant

V/s.

Union of India through
Secretary, Railway Board
New Delhi & 5 ors.

..Respondents

Coram : Hon.Shri Justice M S Deshpande, V.C.
Hon.Shri M Y Priolkar, Member (A)

APPEARANCE:

Mr. Walthare
Counsel
for the applicant

Mr. P S Lambat
Counsel
for the respondents

ORAL JUDGMENT:
(PER: M S Deshpande, Vice Chairman)

DATED: 16.3.93

What is being challenged before us is the order dated 18.7.1990 by which one G G Damkey was appointed and the applicant came to be reverted. Earlier the applicant had approached this Tribunal and by the order dated 9.8.90 in CA no.506/90 it was pointed out while dealing with the order dated 30.5.1990 that since the applicant had been promoted to the former post by order dated 24.2.89 with the specific stipulation that he is liable to be reverted back as soon as Shri G G Damakey returns from Iraq and reports for duty. Shri Damkey had returned to duty resulting in the reversion of the applicant. The applicant cannot have any legitimate grievance against the order of reversion. This ^{position} ~~decision~~ cannot be altered now and any controversy so far as the claim for seniority as against Shri Damkey should have been raised in the CA No.506/90. That order has become final. The decision ^{can} ~~would~~ not be altered now only because a further order came to be passed subsequently. The question of seniority between the applicant and Damkey came to a close and the earlier decision remained unaltered.

We see no merit in this application and is dismissed summarily.

(M Y PRIOLKAR)
MEMBER (A)

(M S DESHPANDE)
VICE CHAIRMAN