

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.1486/95

Date of Order: 4.12.95

BETWEEN:

1. Laxman Rao Zinda.
2. G.Sattaiah.

.. Applicants.

A N D

1. Senior Press Superintendent,
South Central Railway Printing
Press, Secunderabad.
2. Chief Personnel Officer,
South Central Railway,
Rail Nilayam,
Secunderabad.
3. N.Shiva Das, T.No.530,
HS II Binder, S.C.Rly.,
Printing Press, Secunderabad.

.. Respondents.

Counsel for the Applicants

.. Mr.G.V.Subba Rao

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM:

HON'BLE SHRI JUDTICE V.NEEIADRI RAO : VICE CHAIRMAN

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

JUDGEMENT

Dt: 4.12.95

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri G.V.Subba Rao, learned counsel for the applicants and Shri N.R.Devaraj, learned standing counsel for the respondents.

2. This OA was filed praying for declaration that the impugned order dated 18/20.11.95 rejecting the applicants' representation for treating them as seniors to R-3 is illegal, unreasonable and to quash the same and for consequential directions to R-1 and R-2 to hold trade test by ~~xxix~~ issue of alert notice after revision of the seniority of the applicants.

3. Out of two applicants, the 1st applicant is senior to the 2nd applicant. Both of them are now working as Binders in HSK III ~~in~~ in the Railway Printing Press.

4. R-3 originally joined in RPF. On medical decategorisation, he was taken as Peon in the Printing Press. But while R-3 was promoted to Skilled Grade on 1.8.78 and HSK Gr.II on 1.5.86, the first applicant was promoted as Skilled Grade on 2.1.80 and later he was promoted as HSK Gr.II on 9.4.87. It is thus clear that R-3's promotions to the posts of Skilled and HSK Gr.II are earlier to the dates of the promotion of even the 1st applicant to Skilled and HSK-II.

X

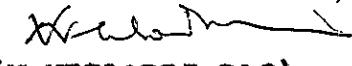
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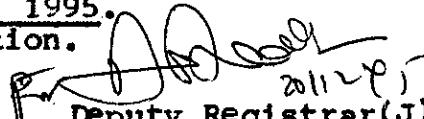
5. The seniority list that has to be considered for promotion to the post of HS~~K~~ I ~~xxx~~ is that of HS~~K~~ II. It is manifest from the facts stated above that the date of entry of R-3 to HS~~K~~ II ~~xxx~~ is earlier even to the date of entry of the 1st applicant to the category of HS~~K~~ II. Thus the applicant cannot have any grievance when R-3 was alerted for consideration for promotion to the post of HS~~K~~ I ~~xxx~~ while they were not considered for the same.

6. The question of reservation does not arise in this case, for both the 1st applicant and R-3 are SCs. This OA does not merit consideration. Accordingly it is dismissed even at the admission stage. No costs.//


(R. PANGARAJAN)
MEMBER (ADMN.)


(V. NEELADRI RAO)
VICE CHAIRMAN

DATED: 4th December, 1995.
Open court dictation.


F. Deputy Registrar (J) CC
2011-95

vsn
To

1. The Senior Press Superintendent,
S.C.Rly Printing Press, Secunderabad.
2. The Chief Personnel Officer, SC Rly,
Railnilayam, Secunderabad.
3. M N. Shiva Das, T.No.530,
HS II Binder, SC Rlym Printing Press,
Secunderabad.
4. One copy to Mr.G.V.Subba Rao, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, SC for Rlys, CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

pvm

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE
HYDERABAD BENCH AT HYD

THE HON'BLE MR. JUSTICE NEELADRI RAO
THE HON'BLE MR. JUSTICE CHAIRMAN

THE HON'BLE R. RANGARAJAN : M(A)

DATED - 12-1995

ORDER/JUDGMENT

M.A./R.A./C.A.NO.

in
O.A.NO. 1486/95

T.A.NO. (W.P.NO.

Admitted and Interim directions
Issued.

Allowed.

Disposed of with directions.

Dismissed at the admissions stage.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

p.v.m.

Central Administrative Tribunal
DESPATCH

26 DEC 1995 N

HYDERABAD BENCH