

(5)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O.A.No. 294/95

Dt. of Order: 29-3-95.

G. Karumakaran

... Applicant

Vs

1. Divisional Railway Manager,
(Personnel) S.C.Railway,
Sec'bad(BG)
2. Chief Personnel Officer,
S.C.Railway, Rail Nilayam,
Sec'bad.
3. General Manager,
S.C.Railway, Rail Nilayam,
Sec'bad.

... Respondents

Counsel for the Applicant : Shri G.V.Subba Rao

Counsel for the Respondents : Shri G.S.Sanghi, SC for Rlys.

CORAM:

THE HON'BLE JUSTICE SHRI V. NEELADRI RAO : VICE -CHAIRMAN

THE HON'BLE SHRI .A.B. GORTHI : MEMBER(A)

O.A 294/95.

Dt. of Order : 29-3-95.

(Order passed by Hon'ble Shri A.B. Gorthi, Member(A))

The applicant was appointed as an Office Clerk on 14-3-64 in Railways on Secunderabad Division. He was promoted as Sr. Clerk, Head Clerk and was then empanelled for promotion as Chief Clerk in the scale of pay of Rs. 1600 - 2600 on 8-6-88. He was promoted to O.A. Grade II in the scale of Rs. 3000-3200 regularly with effect from 1992. His prayer in this application is for a direction to the Respondents to extend to him the

bene its of the judgement in O.A.No. 873/90 by fixing the seniority with reference to the occurrence of the date of vacancy in the cadre of Chief Clerk with all consequential benefits.

2. Heard learned Counsel for both the parties.

Admittedly the applicant is similarly situated as those in O.A.No. 873/90 which was decided by this Bench of the Tribunal on 16-12-93. In the said judgement, it was observed that promotion to the post of Chief Clerk was in pursuance of the process which was initiated subsequent to 31-7-83 but prior to 31-7-86. Accordingly it was held that letter dt. 31-7-83 would be applicable to the cases of promotions and as such for the purpose of zone of consideration for promotion to the post of OS Gr. I the respective date of the non-fortuitous vacancy in the post of Chief Clerk had to be taken into consideration.

3. In view of the aforesated, this O.A. is allowed with the direction to the Respondents to extend to the applicant herein the benefit of the judgement in O.A. 873/90.

4. Respondents to comply with the direction within three months from the date of communication of this order. Original application is ordered accordingly. No order as to costs.

// True Copy //



Returned

- ① Prayer needs correction.
- ② Encloses & Ace-cards filed
- ③ Service of P.L. to be made on the Counsel for Respondents.

*Defects
15/9/95
14 days from*

*Stages 1, 2 & 3
Corporation of*

*28/9/95
Counsel for the Applicant*



Contempt Pet.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH AT HYDERABAD

C.P. No. of 1995

in

O.A. No. 294 of 1995

Between

Applicant/
Applicant

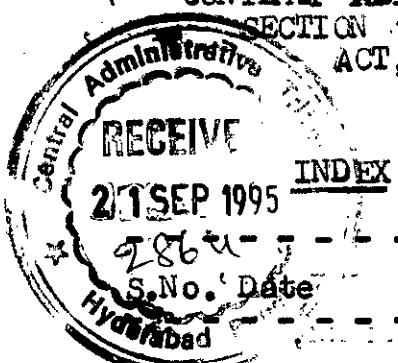
and

Sri G. S. Shinde
DRM/Personnel
S. C. Rly., SC(BG)
and another

Respondents/
Respondents

Received and noted on 28/9/95
At 11.15 AM

CONTTEMPT PETITION UNDER
SECTION 17 OF CAT
ACT, 1985.



S.No.	Date	Particulars	P.No.
01	9-9-95	Memo. to C.P.	01
02	- do -	Contempt Petition	2 & 3
03	19-3-95	Copy of the judgement in O.A. No. 294/95	4 & 5
04	10-4-95	Copy of the representation of the applicant	6

Filed by:

M/s G.V. Subba Rao,
N. Ethirajulu,
Advocates,
1-1-230/33,
Chikkadapalli,
Hyderabad-500020
Counsel for Applicant.

*28/9/95
Rao*