

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A.No.24 OF 1996.

Date of Order: 4-8-1998.

Between:

V.B.V.N.Bhima Shankar.

.. Applicant

a n d

1. Chief Personnel Officer,
South Central Railway,
Secunderabad.
2. Divisional Railway Manager,
South Central Railway,
Vijayawada.
3. Divisional Mechanical Engineer (Diesel),
South Central Railway,
Vijayawada.

.. Respondents

COUNSEL FOR THE APPLICANT :: Mr.B.Narasimha Sharma

COUNSEL FOR THE RESPONDENTS: Mr.C.V.Malla Reddy

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMIN)

A N D

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: O R D E R :

ORAL ORDER (AS PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.M.C.Jacob for Mr.B.Narasimha Sharma
for the Applicant and Mr.Gurupadam for Mr.C.V.Malla Reddy
for the Respondents.

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2. The applicant in this OA joined as Apprentice Mechanic on 6-5-1983 in the Diesel wing of the Vijayawada Division. After two years of training, he was posted as Chargeman-'B' in the scale of pay of Rs.425-700 with effect from 25-7-1985. He was subsequently promoted on adhoc basis to the post of Chargeman-'A' in the scale of pay of Rs.1660-2660/- by Proceedings No.MECH/DSL/121/1987, dated:19-10-1987. He was given the regular promotion order on regular basis as a Chargeman-'A' in the Diesel wing by Order No.P/535/R&M/DSL/CHG'A', dated:6-9-1995 (Annexure-V to the OA). The applicant now submits that he should be given the seniority as Chargeman-'A' from the date of his adhoc promotion i.e., 19-10-1987.

3. This OA is filed praying for a direction to the respondents to regularise the service of the applicant in the post of Chargeman-'A', Diesel (Mechanical) with effect from 19-10-1987 even though regular promotion order was issued later on 6-9-1995 as he had fulfilled all the conditions required for promotion to the post of Chargeman-'A' even at the time of his promotion as Chargeman-'A' on adhoc basis.

4. A reply has been filed in this OA. The contentions raised in this OA by both the parties are same as the contentions raised by both the parties in OA.No.23 of 1996 which is disposed of today i.e., 4-8-1998. The prayer in this OA is also same as the prayer in the OA.No.23 of 1996. Hence, ^{we feel} ~~there is~~ no further discussion ^{is} ~~necessary~~ in this OA as the case has been fully discussed in O.A. No.23 of 1996.

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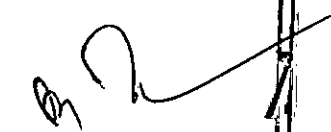
5. In view of the above, this OA is also disposed of with the following direction following the direction given in O.A.No.23 of 1996:-

"In view of the above fore-going, the applicant should ^{be} deemed to have been promoted on regular basis as Chargeman-'A with effect from 19-10-87 if he ^{had} ^{to} fulfill the Recruitment Rules for promotion to that cadre. ^{on that day}"

6. The O.A. is ordered accordingly. No costs..


(B.S. JAI PARAMESHWAR)
4/8/98
MEMBER (JUDL)


(R. RANGARAJAN)
MEMBER (ADMN)


D.R.

Dated: this the 4th day of August, 1998

Dictated to steno in the Open Court

DSN

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II COURT

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRI
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR
M(J)

DATED:

4/8/98

~~ORDER/JUDGMENT~~

~~M.A/R.A/C.P.NO.~~

in

C.A.NO.

24/96

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

