

(98)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ♦ HYDERABAD BENCH

AT HYDERABAD

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C.A. 267/96.

Dt. of Decision : 16-04-96.

N. Devidas

.. Applicant.

Vs

1. The Union of India, Rep. by  
the General Manager, SC Rly,  
Rail Nilayam, Secunderabad.

2. The Chief Personnel Officer,  
SC Rly, Railw Nilayam,  
Sec'bad.

.. Respondents.

Counsel for the Applicant : Mr. G. Ramechandra Rao

Counsel for the Respondents : Mr. V. Rajeswara Rao,  
SC For Rlys.

CORAM:

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

29

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O.A.267/96.

Dt. of Decicision : 16-04-96.

ORDER

1. As per Hon'ble Shri R. Rangarajan, Member (Admn.)

Heard Shri G. Ramachandra Rao, learned counsel for the applicant and Shri V. Rajeswara Rao, learned counsel for the respondents.

2. The applicant in this OA was appointed as Assistant Cook in the Catering Department of SC Railway at Kazipet. He was promoted to the post of Assistant Catering Manager 6-9-90 with retrospective effect from 12-09-89.

3. OA.No. 1102/91 was disposed of by the order of this Tribunal dated 04-10-1994. The applicant, in that OA, where I was a party in that judgement, were directly recruited Assistant Catering Managers. The prayer in that OA was for a direction to the respondents to maintain single common seniority list for all the Asst. Catering Managers in the entire SC Railway and for a further direction to the respondents to promote the applicants in that OA to the post of Catering Managers from the date of promotion of their next juniors with all consequential benefits. That OA was disposed of with the following order:-

"As it is now conceded for R-1 to R-3 that the Zone is the seniority unit in regard to the cadre of Asst. Catering Managers, the seniority list of Asst. Catering Managers has to be prepared in regard to atleast all the Asst. Catering Managers who were recruited after the formation of the South Central Railway on the basis of their rankings as per the select list and these

who were selected at the time of former selection have to be placed above those who were selected at the time of later selection. On the basis of such seniority list, the date of promotion of the respective applicants i.e., 2, 4 to 7 and 9 has to be advanced from the date the respective junior was promoted as Catering Manager and if any such junior was promoted ~~to~~ the next higher post, the case of such applicants for promotion to the next higher post has to be considered and such of the applicants who have to be selected to the next higher post as per this order should be given notional promotion to the said higher post from the respective dates on which his respective junior was promoted. Such of those applicants whose promotions have to be advanced or promoted to next higher posts are entitled to all the consequential benefits including seniority. But the Monetary benefits has to be given from 1-1-90 (This OA was presented on 22-11-91)".

4. The applicant in the present OA submits that a revised seniority list maintaining a common single seniority list for Asst. Catering Managers was issued on 18-1-95. It is stated that the applicant in that seniority list stands at Sl.No. 106 and some of his juniors ~~figure~~ at Sl.No. 109 and 112. These juniors were promoted to higher posts such as Catering Manager, Catering Inspector Gr-II.

5. The applicant submitted a representation dated 14-03-95 (Annexure-V) to R-2 to give him proforma promotion on par with his juniors who were promoted to the higher grades. But it is alleged that no reply has been given to that representation so far.

On the basis of the  
Common single  
seniority list  
Issued on 18-1-95

(31)

6.

Aggrieved by the above, he has filed this OA praying for a direction to the respondents to promote him to the post of Catering Manager and Assistant Catering Inspector Gr-II from the dates when his juniors were promoted to the said post w.e.f., 15-07-1988 and 10-01-1994 respectively with all consequential benefits such as seniority, arrears of salary etc.,

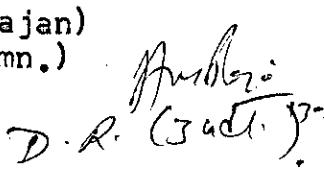
7.

R-2 should immediately check up whether the averments of the applicant in regard to his seniority vis-a-vis the juniors mentioned in this OA is correct as per the single common seniority list dated 18-1-95 issued by them in pursuance of the orders of this Tribunal extracted above. In pursuance of the direction given by this Tribunal in OA.1102/91, if the claim of the applicant is found to be correct he should also be considered for promotion on par with his juniors in that common seniority list. The representation of the applicant dt. 14-03-95 should be disposed of in accordance with the direction given in the OA referred to above within a period of three months from the date of receipt of a copy of this order.

8. The OA is ordered accordingly at the admission stage itself. No costs.

  
(R. Rangarajan)  
Member (Admn.)

Dated : The 16th April 1996.  
(Dictated in Open Court)

  
D.R. (J.A.D.) 7-5-96

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Copy to:-

1. The General Manager, South Central Railway, Union of India, Rail Nilayam, Secunderabad.
2. The Chief Personnel Officer, S.C.Railway, Railnilayam, Secunderabad.
3. One copy to Sri. G.Ramachandra Rao, advocate, CAT, Hyd.
4. One copy to Sri. V.Rajeswara Rao, SC For Rlys, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH, HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M.E.A)

DATED: 16/4/96

ORDER/JUDGEMENT

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

IN  
267/acs.

R.A. NO.

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDERS AS TO COSTS

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