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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.625/96.

Dt. of Decision : 17-09-98.

R. Adi Kesavulu

..Applicant.

VS

1. The Union of India, rep. by the General Manager, SC Rly, Sec'bad.
2. The Chief Personnel Officer, SC Rly, Sec'bad.
3. The Dy.Chief Mech.Engineer, Carriage Repair Shop, SC Rly, Tirupathi.
4. The Workshop Personnel Officer, Carriage Repair Shop, SC Rly, Tirupathi.
5. J.Murali
6. B.Haribabu
7. K.Kodandarama Naidu
8. B.Srinivasulu Naidu.

..Respondents.

Counsel for the applicant

:Mr.S.Ramakrishna Rao

Counsel for the Respondents

:Mr.V.Rajeswara Rao, SC for Rlys.

Mr.P.Gidharulu

CORAM:-

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

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (JUDL.)

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ORDER

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

Heard Mr.S.Ramakrishna Rao, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned counsel for the respondents. Notices have been served on all the private respondents No.R-5 to R-8, Called absent.

2. The applicant in this OA was shown in the provisional final seniority list of Artisan Staff of Mechanical Department of Carriage Repair Shop, Tirupathi in the scale of pay of Rs.1200-1800/- at Sl.No.12 in the seniority of General Fitter Trade by the Memorandum No.TR/Pp612/Artixen/Vol.III. dated 29-01-94 (Annexure-II). Subsequently another provisional seniority list was issued vide order No.TR/P.612/ART/Vol.IV dated 18-03-96 (Annexure-I) wherein his name is shown at Sl.No.26. The applicant submitted representation stating that (1) He was posted to the grade of Artisan earlier to 12-5-88 and hence he should get the seniority from the date he occupied that seat. (2) There were no seniority list issued earlier to 12-5-88 and hence the direction in OA.209/92 is not applicable in his case. The applicant's representation was rejected by the letter No.TR/P-612/ART/Mech. dated 25-05-96 (Annexure-V).

3. This OA is filed to withdraw the revised seniority list dated 18-03-96 and for a consequential direction to maintain status-quo as per the seniority list dated 29-01-94 and his promotion will be affected if the promotion is done on the basis of the seniority list dated 18-3-96.

4. When the OA was taken up for hearing the learned counsel for the applicant submitted that this OA is covered by the judgement of this Tribunal in CA.624/96 dated 21-08-98 (P.Ramachandra Raju Vs General Manager, SC Rly, Sec'bad & Ors) and hence that will hold good in this ~~case~~ case also.

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5. The learned counsel for the respondents also submit that this OA is covered by the judgement in OA.624/96 dated 21-08-98. Hence, the following direction is given:-

R-4 should fix up a meeting with the applicant on a mutually agreeable date to examine the issue as indicated in the judgement in OA.624/96 and prepare a joint note recording the views of both sides. If there are differences the same also shall be recorded. If there is a difference in the views then that note should be put up to R-2 for deciding the issue on the basis of the existing rules and the direction of this Tribunal given earlier which has been indicated ~~above~~ in a concise form in the judgement in OA.624/96. In case it is found necessary to call the private respondents No.5 to 8 the R-4 may issue notice to them also to attend the meeting.

6. Time for compliance is two months from the date of receipt of a copy of this order.

7. With the above direction the OA is disposed of. No costs.

B. S. Jai Parameshwar
(B. S. JAI PARAMESHWAR)
MEMBER (JUDL.)

17.9.98

R. Rangarajan
(R. RANGARAJAN)
MEMBER (ADMN.)

DR
DR
21-9-98

Dated : The 17th Sept. 1998.
(Dictated in the Open Court)

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Copy to:

1. The General Manager, South Central Railway, Secunderabad.
2. The Chief Personnel Officer, South Central Railway, Secunderabad.
3. The Dy. Chief Mech. Engineer, Carriage Repair Shop, South Central Railway, Tirupathi.
4. The Workshop Personnel Officer, Carriage Repair Shop, South Central Railway, Tirupathi.
5. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT, Hyderabad.
6. One copy to Mr. V. Rajeswara Rao, Addl. CGSC, CAT, Hyderabad.
7. One copy to D.R. (A), CAT, Hyderabad.
8. One duplicate copy.
9. One copy to Mr. P. Sridhar Reddy, Advocate, CAT, Hyderabad.

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II COURT

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APPR VED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARADAN : M(A)

AND

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

DATED: 17/9/98

ORDER/JUDGMENT

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

in
D.A. NO. 625/96

~~ADMITTED AND INTERIM DIRECTIONS
ISSUED~~

~~ALLOWED~~

DISPOSED OF WITH DIRECTIONS

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~ORDERED/REJECTED~~

~~NO ORDER AS TO COSTS~~

YLR

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal
प्रेषण / DESPATCH

29 SEP 1998

हैदराबाद आधारीक
HYDERABAD BENCH