

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH
JAIPUR.

O.A.No.258/93

Dt. of order: 9.11.93

Khaju Khan & Ors.

: Applicants

Vs.

Union of India & Ors.

: Respondents

Mr.S.C.Sethi

: Counsel for applicant

Mr.Manish Bhandari

: Counsel for respondents

CORAM:

Hon'ble Mr.Justice D.L.Mehta, Vice Chairman

Hon'ble Mr.O.P.Sharma, Member(Adm.).



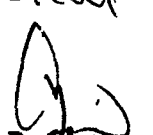
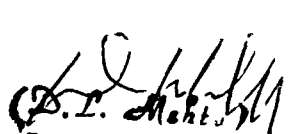
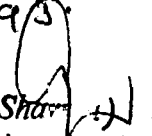
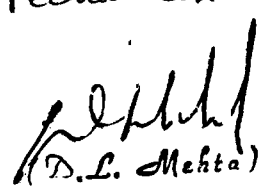
PER HON' BLE MR.JUSTICE D.L.MEHTA, VICE CHAIRMAN.

Heard the learned counsel for the parties. On behalf of the respondents, no reply has been filed. The applicants have submitted that Running Room Sawaimadhapur, issued duty roster of RRB-2 classified as EI employed in Mechanical Department. These documents were signed by the APO. The learned counsel for the respondents submits that the CPO has accorded the sanction for the classification. Mr.S.C.Sethi, counsel for the applicants submits that the classification can only be done by the General Manager and the CPO is not competent to classify. He further submits that on a perusal of these documents it is clear that the CPO has not even accorded the sanction.

2. We have gone through the documents and there is no material on record to show that the GM has authorised to grant/fix the classification.


3. As far as the old question of classification is concerned, the social justice requires that if any payment has been made treating them under a particular classification then that should not be disturbed. However, the General Manager is directed to fix the classification within a period of three months and this classification will be prospective and the

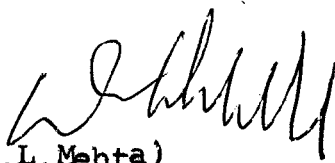
C. A. T. Bench, JAIPUR

Date of Order	Orders
<p>12.5.93</p> <p>Present: S. S.C. Sethi, counsel for the applicant.</p>	<p>Admit. May be listed on 12.7.93.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;">  (O. P. Sharma) Administrative Member </div> <div style="text-align: center;">  (D. L. Mehta) Vice-Chairman </div> </div>
<p>12/7/93</p> <p>Regd. A.D. notices issue to the Res. along with copy of O.A.</p> <p>12/7/93</p> <p>4/718 to 4/719</p> <p>12-7-93 Vakalatnama by M. Bhushan filed</p> <p>Both notices served. 16/9</p> <p>Reply not filed. 1/11</p>	<p>Mr. S.K. Jain on behalf of Mr. S.C. Sethi Counsel for applicant</p> <p>Issue notice to the respondent returnable on 22.9.93</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;">  (O. P. Sharma) Administrative Member </div> <div style="text-align: center;">  (D. L. Mehta) Vice-Chairman </div> </div> <p>22-9-93</p> <p>Mr. S.C. Sethi - Counsel for applicant None for the respondents</p> <p>Reply has not been filed by the respondents. In case the reply is not filed by the respondents within 3 weeks it shall not be entertained. If the reply is filed within 3 weeks a copy of the same be given to the Counsel for the applicant who may thereafter file rejoinder within one week put up for hearing at the stage of direction on 9-11-93.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;">  (O. P. Sharma) Administrative Member </div> <div style="text-align: center;">  (D. L. Mehta) Vice-Chairman </div> </div>

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applicant will be entitled to convention if any. The old convention will continue upto three months. The O.A. is disposed of accordingly. Parties to bear their own costs.


(O.P. Sharma)
Member (A)


(D.L. Mehta)
Vice Chairman.