

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A.No.287/94

Date of order: 1.1.96

Surendra Kumar Sonwar

: Applicant

Vs.

Union of India & Anr.

: Respondents

Mr.S.K.Jain

: Counsel for applicant

Mr.Manish Bhandari

: Counsel for respondents Nos.1 & 2

None present on behalf of respondents Nos.3 to 14.

CORAM:

Hon'ble Mr.Gopal Krishna, Vice Chairman

Hon'ble Mr.O.P.Sharma, Administrative Member

PEP HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN.

Applicant Surendra Kumar Sonwar has made this application under Sec.19 of the Administrative Tribunals Act, 1985 challenging the impugned order dated 11.6.94 at Annex.A1 by which his seniority in the grade of Rs.2000-3200 was lowered and respondents Nos.3 to 14 were placed above him in the seniority list. He has also challenged the cancellation of his promotion from the grade of Rs.2000-3200.

2. We have heard the learned counsel for the parties and have gone through the records of the case.

3. When the seniority list at Annex.A1 dated 11.6.94 was issued respondents Nos.3 to 14 were placed above the applicant and the applicant was given 15 days time to make objections if he so desired. There is nothing on the record to show that the applicant had made any objection to the concerned authority calling him in question the lowering of his seniority position. Order Annex.B6 dated 5/6.7.94 was passed during the pendency of this O.A reverting the applicant from the grade Rs.2000-3200. This order has not been specifically challenged in the relief clause of the O.A. The applicant has not preferred any appeal to the appellate authority impugning his reversion.

4. In the circumstances, we hold that if the applicant makes representation against Anxx. Al dated 11.6.94 to respondent No.2, the Chief Works Manager, Western Railway, Ajmer Division, Ajmer, within a period of 10 days from today the same shall be entertained by him and disposed ~~of~~ of on merits through a detailed speaking order within a period of one month from the date of its receipt and till then the applicant shall not be reverted from the grade of Rs.2000-3200.

4. The O.A. is disposed of accordingly with no order as to costs.

(O.P.Sharma)

Member (Adm.).

G.Krishna
(Gopal Krishna)

Vice Chairman.