

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIFUR BENCH, JAIPUR. (W)

* * *

Date of Decision: 5.8.97

OA 436/94

H.V.Sharma, Assistant Works Manager (Loco), Western Railway, Ajmer.

... Applicant

Versus

1. Union of India through General Manager, Western Railway, Churchgate, Bombay.
2. Chief Mechanical Engineer (E), Western Railway, Churchgate, Bombay.
3. Shri P.N.Gaur, Divisional Mechanical Engineer, Diesel Shed, Sabarmati.
4. Shri D.P.Duggal, Works Manager, Western Railway, Bhavnagar, Gujarat.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.O.P.SHARMA, ADMINISTRATIVE MEMBER

For the Applicant ... Mr.S.K.Jain

For the Respondents ... Mr.Manish Bhandari

O-R-D-E-R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, H.V.Sharma, in this application u/s 19 of the Administrative Tribunals Act, 1985, has claimed for the following reliefs :-

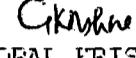
- "i) That by an appropriate writ, order or direction, the impugned seniority list dated 26/30.4.91 Annexure-A/3 be quashed and the respondents be ordered to recast the seniority of all the persons in the grade of 700-900 on the basis of working in the grade 700-900 as per the mandate of Hon'ble CAT, Jabalpur.
- ii) The applicant be declared to be senior to Shri P.N.Gaur, respondent No.3 and Shri D.P.Duggal, respondent No.4 in the grade of 700-900 and thereafter on the higher posts with all consequential benefits regarding the pay, fixation, arrears of salaries, promotions etc.
- iii) That the applicant be given the promotion on the post of Asstt.Mechanical Engineer in the grade 2000-3500 from 16.4.85, on the post of Divisional Mechanical Engineer from 17.4.88 in the grade 3000-4500, the dates on which the respondent No.3 Shri P.N.Gaur and other juniors were promoted with all the consequential benefits.
- iv) Any other reliefs which this Hon'ble Tribunal deems fit may also be granted looking to the facts and circumstances of the present case."

2. We have heard the learned counsel for the parties. It has been stated by the learned counsel for the applicant that the applicant stands already

promoted as Divisional Mechanical Engineer in the grade Rs.3000-4500. If the applicant has any grievance regarding his seniority, he may file a fresh OA subject to just exceptions. The OA stands disposed of accordingly with no order as to costs.


(C.P.SHARMA)

ADM. MEMBER


(GOPAL KRISHNA)
VICE CHAIRMAN

VK