

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

MA no. 572/94 : Date of order 17.11.94

Union of India & Others : Applicants

V/s

Rajasthan Area MES Workers : Respondents
Union

Mr. Praveen Balwada : Counsel for the applicants in MA

Mr. Virendra Lodha : Counsel for the respondents in MA

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

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

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

Heard the learned counsel for the parties and perused the order dated 26.11.93. Directions were given for the promotion of 13 persons and the benefits should be extended to the similarly situated persons.


2. Persons originally senior will remain senior and continue to be senior after promotion and the promotion should be given on the basis of seniority in the trade test.

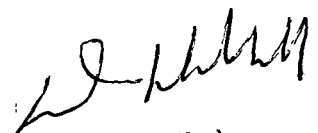
3. The respondents have submitted a chart showing the vacancies. Persons can be promoted only to the extent of vacancy every year. Persons who have passed the trade test but could not be appointed on account of want of vacancy, they will be adjusted whenever their right accrued for promotion against a vacancy of a particular year.

4. The persons who have been transferred to other Divisions including Udaipur Division on administrative ground should not affect their seniority in the original division. Persons who have been promoted under the orders of the Tribunal cannot claim the seniority over the seniors who will be promoted now being similarly situated persons. They will get the notional.

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fixation by way of consequential benefits and no further order can be passed at this stage in this application. Necessary action should be taken within a period of three months from the date of the receipt of a copy of this order. The M.A. stands disposed of.


(O.P. SHARMA)
MEMBER(A)


(D.L. MEHTA)
VICE-CHAIRMAN