

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,
JAIPUR.

Date of Decision: 12/6/2002

OA 471/96

S.K.Gupta, Traction Foreman, W/Rly, Ramganj Mandi,
Kota.

... Applicant

Versus

1. Union of India through General Manager, W/Rly,
Churchgate, Bombay.
2. Chief Electrical Distribution Engineer, W/Rly,
Churchgate, Bombay.
3. Shri M.A.Siddiki, Traction Foreman (TRD), W/Rly,
Vikramgarh Aalot, Distt. Kota.

... Respondents

CORAM:

HON'BLE MR.A.P.NAGRATH, ADM.MEMBER

HON'BLE MR.J.K.KAUSHIK, JUDL.MEMBER

For the Applicant ... Mr.P.P.Mathur

For the Respondents ... Mr.T.P.Sharma

O R D E R

PER HON'BLE MR.A.P.NAGRATH, ADM.MEMBER

The applicant had filed OA 199/92 with the prayer that he be assigned proper seniority in the cadre. This OA was disposed of by an order dated 12.9.94 with a direction to the respondents to prepare the final seniority or to decide the appeal of the applicant and to place him at the proper place after considering his representation. The OA came to be disposed of with the order as follows :

"We direct the respondents to prepare the final seniority or to decide the appeal of the applicant and to place him at the proper place after considering the representation."

In compliance of these orders, the applicant was informed vide letter dated 22.8.95 (Ann.A/1) that on the basis of his date of entry to the grade Rs.1600-2660, which date has been stated to be

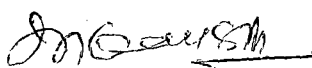


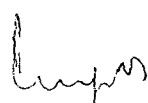
14.7.89, his name appeared at S.No.13 of the seniority list which was issued on 2.4.90. The applicant is aggrieved with this decision and has filed this OA under Section 19 of the Administrative Tribunals Act, 1985, with a prayer that the impugned order dated 22.8.95 (Ann.A/1) be quashed and set aside and the respondents be directed to publish final seniority list and place him on the basis of the date of promotion i.e. 22.12.86.

2. We have perused the averments made in the OA and reply of the respondents and have also heard the learned counsel for either side.

3. The basis of the claim of the applicant is that he was promoted to the grade of ATFO Rs.1600-2660 on 22.12.86. It is an admitted position that this ^{is the} date of his promotion in Railway Electrification Organisation. This organisation is an Extra Divisional Unit and promotion in such organisation or any other work-charged Extra Divisional Organisation is not necessarily based on the seniority of the individual in his own parent cadre. The applicant admittedly belongs to Kota Division. The respondents have maintained that he was promoted to the grade Rs.1600-2660 on 14.7.89 and according to this date, the seniority assigned to him in the seniority list dated 11.9.90 is correct. The learned counsel for the applicant could not show to us any order to indicate that the applicant was promoted to this grade of Rs.1600-2660 on any earlier date in his own cadre. The applicant has failed to establish the very basis of his claim. He has not contested this clear assertion of the respondents that his actual date of promotion to the grade is 14.7.89. Under such circumstances, there is absolutely no scope for us to interfere. This application is totally meritless.

4. The OA is, therefore, dismissed. Parties are left to bear their own costs.


(J.K. KAUSHIK)
MEMBER (J)


(A.P. NAGRATH)
MEMBER (A)