

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR .

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Date of Decision: 03.11.2000

OA 165/99

Ram Roop Meena, Station Master-cum-Chief Booking Clerk,
Railway Station Post Office Khandi, W/Rly, Sawai Madhopur.

... Applicant

v/s

1. Union of India through General Manager, W/Rly,
Churchgate, Mumbai.
2. Dvl.Rly.Manager, W/Rly, Kota.
3. Sr.Dvl.Commercial Manager (Estt), W/Rly, DRM Office,
Kota.
4. Shri K.C.Chaturvedi, Chief Booking Clerk, W/Rly,
Kota Division, Kota.

... Respondents

GORAM:

HON'BLE MR. S. K. AGARWAL, JUDICIAL MEMBER

HON'BLE MR. N. P. NAWANI, ADMINISTRATIVE MEMBER

For the Applicant

... Mr.C.B.Sharma

For the Respondents

... Mr .T .P .Sharma

ORDER

PER HON'BLE MR .S .K AGARWAL, JUDICIAL MEMBER

In this OA filed u/s 19 of the Administrative Tribunals Act, 1985, the applicant makes mainly following prayers :-

"a) By an appropriate order or direction the respondents be directed to treat the applicant as regularly promoted on the post of Chief Booking Clerk w.e.f. the date of junior person

promoted vide order dated 22.11.96 by declaring that as the applicant has already passed the examination for promotion on the post of Chief Booking Clerk earlier therefore there is no need to pass the same again by modifying the order dated 30.1.97 and the circular dated 10.9.96 if the same comes in the way of promotion of the applicant with all consequential benefits.

b) by an appropriate order or direction the impugned order dated 21.12.98 by which the respondents No.1 to 3 have promoted junior person to the applicant i.e. respondent No.4 on the post of Chief Booking ~~clerk~~ Supervisor w.e.f. 17.12.98 may kindly be quashed and set aside and the respondents be directed to promote the applicant on the post of Chief Booking Supervisor w.e.f. 17.12.98 with all consequential benefits."

2. As regards first prayer, by an order dated 31.8.2000, issued by the DRM, Western Railway, Kota, it is clear that the applicant has been promoted on proforma basis w.e.f. 22.11.96, the date on which his junior Shri K.C.Chaturvedi (Respondent No.4) was promoted, in the pay scale of Rs.5500-9000.

3. As regards other prayer, it is apparent that respondent No.4, who is admittedly junior to the applicant, was promoted as Chief Booking Supervisor w.e.f. 17.12.98. Therefore, it is just and equitable to direct the respondents to consider the candidature of the applicant for promotion to the post of Chief Booking Supervisor with effect from the date his junior was promoted.

4. We, therefore, direct the respondents to consider the candidature of the applicant for promotion to the post of Chief Booking Supervisor w.e.f. 17.12.98, the date on which his junior, respondent No.4, was ~~promotion~~ promoted, ^{so} ~~with~~ ~~all consequential benefits~~ if the applicant is found suitable,

SMH

with all consequential benefits within a period of three months from the date of receipt of a copy of this order.

~~xxxxxxxxxxxxxxxxxxxx~~ The OA stands disposed of accordingly.

NO order as to costs.


(N.P. NAWANI)

(MEMBER (A))


(S.K. AGARWAL)

MEMBER (J)