

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR

Original Applications No 1154 of 2004

Indore this the 18th day of October, 2005.

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Mr. Madan Mohan, Judicial Member

Kadorilal S/o Biranlal, aged about
62 years, Retd. Head Clerk,
Senior Section Engineer, West Central
Railway, R/o Gayadatta Ward, Station Ganj
Narsinghpur - 487001

Applicant

(By Advocate - None)

VERSUS

1. Union of India, through
Its, General Manager
West Central Railway, Jabalpur.

2. Divisional Railway Manager,
West Central Railway Jabalpur

Respondents

(By Advocate - Shri H.B. Shrivastava)

ORDER

By Madan Mohan, Judicial Member -

By filing this Original Application, the applicant has sought the following main reliefs :-

6.2to conduct a Review DPC as in the year 1996 and fix the petitioner in a proper pay scale as promoted post of O.S. Gr.II.

6.3 to direct respondents to fix applicant pay and give all the consequential benefit as directed by this Hon'ble Tribunal in earlier O.A. 483/94."

6.4 to direct the respondents to pay arrears also."

2. The brief facts of the case as sated by the applicant are that the applicant was initially appointed as Jr. Clerk in Jabalpur Division of



Central Railway on 2.7.66. He was promoted as Sr. Clerk on 31.1.81 and thereafter promoted as Head Clerk on 13.2.90. He was served with a charge sheet which culminated with the order of punishment of revision to lower post of Junior Clerk for a period of two years (NC). Aggrieved with the punishment, the applicant had filed an OA No.483/94 which was allowed on 30.5.2001 (Annexure-A-1). According to the applicant during the punishment period certain juniors to the applicant were considered and promoted to the post of Office Superintendent Gr.II vide order dated 13.3.1996. The applicant contended that after passing the aforesaid order of the Tribunal, it was the duty of the respondents to consider him for promotion to the post of Office Superintendent Gr.II by conducting a Review DPC. However, the respondents have not convened the same and the applicant was deprived of his legitimate claim. He retired from service on attaining the age of superannuation w.e.f. 30.4.2002. Hence, this OA.

3. None is present on behalf of the applicant. Since, it is an old matter of the year 2004, we are disposing of this OA by invoking the provisions of Rule 15 of Central Administrative Tribunal (Procudre) Rules, 1987. Heard the learned counsel for the respondents and carefully perused the records.

4. The learned counsel for the respondents argued that consequent upon cancellation of the punishment order of reduction in rank the applicant was reinstated to his original post of Head clerk and the difference of pay and arrears were paid to him on 3.8.2001. The applicant has participated in the written test on 24.8.96 but could not qualify in the written test, hence not considered for viva-voce. He was again considered for promotion as OS Gr.II on 17.2.1998. However, he could not clear the same, hence he was not called for viva-voce and again on 20.2.99 he was considered for OS Gr.II. However, he again could not clear the written test, therefore, he was not considered for



6. After considering all the facts and circumstances of the case, we do not find any merit in this case. Accordingly, the same is dismissed. No costs.

M.P.Singh)
Vice Chairman

पतिलिखित आवेदितः-4

- (1) सचिव, जल कानून तथा सार्वजनिक स्वास्थ्य, जयपुर
- (2) आवेदक श्री/प्रभु/प्रभु.....के कार्यालय
- (3) प्रत्यक्षी श्री/प्रभु/प्रभु.....के कार्यालय
- (4) मंत्रपाल, कोषाध्यक्ष, राजपुर नगरपालिका
सूचना एवं आवश्यक कार्यवाही हेतु

सूचना एवं आवश्यक कार्यवाही हेतु
उप रजिस्ट्रार

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