

CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH

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OA 1455/2003

New Delhi, this the 3rd day of November, 2003

Hon'ble Sh. Kuldip Singh, Member (J)
Hon'ble Sh. S.K.Naik, Member (A)

Suraj Prakash Sharma
S/o Late Sh. Sudershan Dev
working as Stenographer, N.Rly
Divisional Hospital, Delhi.

...Applicant

(Applicant in person)

V E R S U S

1. Union of India through
General Manager, N.Rly.
Baroda House, New Delhi.

2. Divisional Railway Manager
N.Rly, Chelmsford Road, New Delhi.

...Respondents

(By Advocate Sh. Satpal Singh)

O R D E R (ORAL)

Shri Kuldip Singh,

Applicant has filed this OA seeking following
reliefs :-

(i) Direct the respondents to grant the applicant his
seniority position as Tool Checker/Store Issuer
scale Rs.260-400 (RS) as well as Stenographer in
grade Rs. 330-560 (RS) (at present in grade Rs.
5000-8000) after granting him the benefit of ad
hoc officiating followed by regularisation without
break by extending the benefit of Hon'ble Supreme
Court judgement in SLP No. 7055/89 Rajbiri Singh
v. Union of India and OA No.401/92 in the matter
of Dharma Singh v. Union of India and others.

(ii) Direct the respondents to grant all consequential
benefits in higher posts to the applicant as a
result of revision of his seniority in the case of
scale of Rs. 260-400.

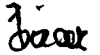
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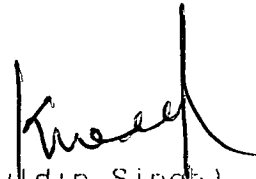
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2. Applicant has submitted that he had made a representation which has not been replied to by the respondents. Applicant also relies upon the judgement of Hon'ble Supreme Court in the case of Rajbir Singh v. Union of India (SLP No. 7055/89). The applicant further submits that he is similarly situated as Rajbir Singh and had been promoted as Stenographer after holding selection test and having been found suitable for the post.

3. Since the representation of the applicant is still pending, the present OA is disposed of with a direction to the respondents that the representation of the applicant shall dispose of by applying law as laid down in the judgement of Rajbir Singh (supra) and if the same is found applicable in the case of applicant, applicant should also be given the similar benefits.

4. The above exercise should be completed within a period of three months from the date of receipt of a copy of this order. No costs.


(S.K. Naik)
Member (A)


(Kuldeep Singh)
Member (J)

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