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Central Administrative Tribunal
Principal Bench

OA No. 2759/2003

New Delhi this the 18th day of November, 2003

Hon'ble Shri V.K. Majotra, Vice-Chairman (A)
Hon'ble Shri Bharat Bhushan, Member (J)

Shri Harminder Singh Sidhu
S/o Shri Ajit Singh.
R/o D-36, Railway Colony,
College Lane,
New Delhi.

(By Advocate: Shri M.S. Ahluwalia)

-Applicant

Versus

1. General Manager (P)
Northern Railway
Headquarters Officer,
Baroda House,
New Delhi.
2. Divisional Railway Manager
D.R.M.'s Office,
New Delhi.
3. Divisional Personnel Officer/DLI
DRM Office
State Entry Road,
Northern Railway,
New Delhi.

-Respondents

ORDER (Oral)

Hon'ble Shri V.K. Majotra, Vice-Chairman (A)

Learned counsel heard.

2. Applicant has challenged Annexure A-1 dated 22.7.2003 whereby respondents have cancelled the seniority of the applicant which had been accorded to him vide letter dated 9.6.2003 w.e.f. 3.9.92 in terms of PS 4913. Learned counsel pointed out that now the respondents have applied PS No.12644 for cancelling the seniority allotted to the applicant earlier on. He also mentioned that applicant had been appointed as

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(Signature)

IOW Grade I on 3.9.92. i.e., prior to issuance of PS No.12644 dated 8.12.1994 and 14.9.1995. He also stated that applicant has been discriminated against inasmuch as in similar circumstances another IOW Grade-I Shri R.K. Kushwaha who had been appointed on 1.10.91 on compassionate ground and was sent for training to Kanpur and after completion of the training was allowed seniority reckoning from the date of his appointment. i.e., 1.10.91. Learned counsel also stated that applicant had made representations to the respondents vide Annexure A-6 dated 9.7.2003 and Annexure A-7 dated 5.8.2003, which have remained unactioned at the hands of the respondents till now.

3. Keeping in view the averments made herein, we are of the considered view that at this stage itself and without putting the respondents on notice, while respondents' interest shall not be prejudiced in the interest of justice OA can be disposed of requiring the respondents to decide applicant's representations Annexure A-6 and Annexure A-7 by passing a speaking and reasoned order within a period of three months from the date of communication of these orders. Ordered accordingly.

4. OA is disposed of as above. No costs.


(Bharat Bhushan)

Member (J)

cc.


(V.K. Majotra)
Vice-Chairman (A)