

**Central Administrative Tribunal
Ernakulam Bench**

OA No./180/00836/2018

Tuesday, this the 3rd day of March, 2020

CORAM

Hon'ble Mr.Ashish Kalia, Judicial Member

1. M.G.Unnikrishnan, aged 55 years,
S/o V.K.Gopalakrishna Pattari,
Reservation Supervisor Gr.II/
Passenger Reservation Office/Southern Railway,
Trichur Railway Station.
Residing at “Krishnasree”,
Sree Kerala Varma College Road,
Kanatukara P.O., Trichur-680 011.
2. Gigi George, aged 44 years,
S/o T.K.George,
Enquiry cum Reservation Clerk/Southern Railway,
Trichur Railway Station.
Residing at: “Gigi Vihar”,
7/317-C, Horizon Villa, Mookannoor,
Angamaly-686 535, Ernakulam District.
3. Praveen Prabhakar, aged 31 years,
S/o A.K.Prabhakaran,
Enquiry cum Reservation Clerk/Southern Railway,
Ernakulam Junction Railway Station.
Residing at “Makeeram”, Padam Road,
Elamakkara-682 026, Ernakulam District.
4. Shammy Sukumar, aged 40 years,
S/o Sukumaran
Reservation Supervisor Gr.II/Reservation Office/
Southern Railway/Ernakulam Junction Railway Station.
Residing at: “Anakuzhikkad House”, Nochima,
NAD P.O., Aluva-683 563.
5. E.A.Sebastian, aged 34 years,
S/o E.G.Antony,
Enquiry cum Reservation Clerk/Southern Railway,
Idappalli Railway Station.
Residing at Elavunkal House, Elamakkara P.O.,
Kochi-682 026.

6. Manu Thomson T.N, aged 35 years,
 S/o T.Thomas,
 Enquiry cum Reservation Clerk/Southern Railway,
 Trivandrum Central Railway Station.
 Residing at Peringanisseril House,
 Malibhagom, Chavara South,
 Kollam-691 584. Applicants

(Advocate: Mr.T.C.Govindaswamy)

versus

1. Union of India represented by the
 General Manager, Southern Railway,
 Headquarters Office, Park Town P.O.,
 Chennai-600 003.

2. The Principal Chief Personnel Officer,
 Southern Railway, Headquarters Office,
 Park Town P.O.,Chennai-600 003.

3. The Sr. Divisional Personnel Officer,
 Southern Railway, Trivandrum Division,
 Thiruvananthapuram-695 014.

4. The Railway Board,
 Rail Bhavan, New Delhi-110 001. Respondents

(Advocate: Mr.Sunil Jacob Jose)

The OA having been heard on 3rd March, 2020, this Tribunal delivered the following order on the same day:

O R D E R (oral)

Sufficient opportunity was granted to the applicants' counsel to get instructions from his clients. The counsel has not received any instructions for withdrawal of the case. At the same time, they have no objection in terms of para 7 of the MA (in OA 836/18) which is reproduced below:

"7. It is humbly submitted that presently 10 candidates are waiting to be appointed in the combined category of Sr. Commercial cum Ticket Clerk in Level 5 (Graduate Quota) and Commercial cum Ticket Clerk in Level 3 (Non Technical Popular Categories) under the Scheme of compassionate Ground Appointment and their appointment is put on hold in pursuance of the interim order."

2. Let the respondents proceed further giving appointment on compassionate grounds. However, the cadre re-structuring ordered by the Railway Board vide RBE No.28/2018 is no longer in existence. So nothing survives in this OA. The OA is dismissed as infructuous. All the MAs are decided accordingly.

**(Ashish Kalia)
Judicial Member**

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Annexures filed by the applicants:

Annexure A1: Copy of Railway Board order bearing RBE No.28/2018 dated 22.2.2018.

Annexure A2: Copy of letter bearing No,P(S) 535/III/Comml/Policy dated 13.4.2018 issued by the 2nd respondent.

Annexure A3: Copy of letter bearing No.V/P.612/III/CC/Vol.V dated 13.9.2018 issued by the 3rd respondent.

Annexure A4: A true extract of recommendations of the 7th CPC as contained in paragraphs 11.40.64 to 11.40.70.

Annexure A5: Copy of Railway Board order bearing RBE No.177/2003 dated 9.10.2003.

Annexure A6: Copy of Memorandum bearing No.V/P.535/III/Comml/Merger dated 3.8.2018 issued by the 3rd respondent.

Annexure A7: Copy of Railway Board order bearing RBE No.102/2013 dated 8.10.2013..

Annexure A8: Copy of interim order in OA No.200/856/2018 dated 14.9.2018 rendered by the Jabalpur Bench of the Tribunal.

Annexure A9: Copy of order bearing no.C415/TRG/Staff dated 19.12.2018 issued by the South Central Railway.

Annexure A10: Copy of order bearing No.T(S) 353/III/Merger of CC&ECRC dated 14.12.2018 issued by the Southern Railway Administration.

Annexure A11: Copy of order bearing No.V/C 415/ECRC/01/19 dated 12.1.2019 issued by the Divisional Commercial Manager, Southern Railway, Thiruvananthapuram.