

CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA
OA/050/00158/2017

Date of Order: 04.12.2019

C O R A M

HON'BLE MR. JAYESH V. BHAIRAVIA, JUDICIAL MEMBER
HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER

1. Nikhil Bharti, son of Sri Rajendra Prasad, Assistant Loco Pilot (DSL & Elec.), posted at Mughalsarai in Mughalsarai Division of E.C. Railway, Hajipur.
2. Abhayjit Kumar, son of Sri Chandra Singh, Assistant Loco Pilot (Elec.), posted at Gaya of Mughalsarai Division of E.C. Railway, Hajipur.

.... Applicants.

By Advocate: - Mr. S.K. Datta

-Versus-

1. The Union of India through the General Manager, EC Railway, Hajipur At and P.O.- Hajipur, District- Vaishali- 844101.
2. The General Manager (Personnel), E.C. Railway, Hajipur At and PO- Hajipur, District- Vaishali- 844101.
3. The Divisional Railway Manager, Mughalsarai Division, ECR, Mughalsarai.
4. The Divisional Railway Manager (Personnel), Mughalsarai Division, E.C. Railway, Mughalsarai.
5. The Sr. Divisional Railway Manager (Personnel)(, Mughalsarai Division, E.C. Railway, Mughalsarai.

.... Respondents.

By Advocate:- None.

O R D E R
[ORAL]

Per Dinesh Sharma, A.M:- Learned counsel for the applicants, Shri S.K.

Datta fairly submits that the present OA is identical in nature of OA/050/00558/2016 which has been dismissed by this Tribunal vide order dated 13.11.2019. He further prays that under the circumstances, appropriate order be passed in this OA also.

2. We have gone through the pleadings and the decision of this Tribunal in the aforementioned OA (OA/050/00558/2016). We, too, find that the facts of this case are almost identical to the facts of the case of the aforementioned OA. In this case too, the applicants have accepted reversion to the grade of ALP and have been transferred on mutual request on such reversion. The respondents have examined the representation made by them and given them a clear response (again enclosed as Annexure-III of their WS). The applicants have not filed any rejoinder after that. Under these circumstances, the relief sought by the applicants, to correct the seniority list as per their request, cannot be granted. The OA is, therefore, dismissed. No order as to costs.

[Dinesh Sharma]
Administrative Member
Srk.

[Jayesh V. Bhairavia]
Judicial Member