

Central Administrative Tribunal
Principal Bench

3

O.A. No. 1164 of 2001

New Delhi, dated this the 3rd October, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALI, MEMBER (J)

S/Shri

1. Parmesh Kumar
S/o late Shri Mehar Chand,
Head Typist,
S&T (M),
Baroda House,
New Delhi.
2. Chander Prakash Sharma,
S/o Shri R.P. Sharma
3. Roop Ram
S/o Shri Mohar Singh
4. Lalit Mohan,
s/o late Shri B.D. Lohani
5. Sardar Singh
S/o late Shri Vijay Singh
6. Smt. Bimla Dhamija
W/o Bharat Bhushan Dhamija
7. Smt. Santosh Kumari
S/o Shri Ravi Bhushan
8. Smt. Nanda Rawat,
W/o shri S.S. Rawat
9. Shri Mahmood Ullah
S/o Shri Rahmat Ullah
10. Smt. Satbir Kaur,
S/o shri Manjit Singh
11. Smt. Madhu Sachdeva
W/o Shri V.K. Sachdeva
12. Maya Sharma
W/o shri Satbir Singh
13. Shri Prem Chand,
S/o Shri Kaloo Ram
14. shri Kanshi Lal
S/o shri Nand Lal
15. M.C. Baisla,
S/o shri Chatter Singh
16. Ram Avtar
S/o late Shri Nathu Ram

✓

(4)

17. Smt. Bimla Devi Gupta,
W/o Shri Hari Prakash Gupta

18. Ashwani Kumar,
S/o Shri Krishan Lal

19. Smt. Renu Arora
W/o Shri A.K. Arora

20. Ved Prakash Sharma,
S/o Shri Khacheru Mal

21. Smt. Ravinder Kaur Khatri,
W/o Shri Vinod Kumar

22. Smt. Kavita Chadha,
W/o Shri Anup Kumar

23. Inder Mohini,
W/o Shri R.K. Aggarwal

24. Satish Chandra Gupta,
S/o Shri S.L. Gupta

25. Vijay Singh Rawat,
S/o Shri J.S. Rawat

26. Raja Ram,
S/o Shri Purshotam Ram

27. Satish Kumar,
S/o Shri Sardari Lal

28. Smt. Suman Grover,
W/o Shri Ramesh Kumar,

29. Smt. Chander Kanta,
W/o Shri Rattan Kumar

30. Shri Shiv Kant,
W/o Shri Subey Lal .. Applicants

(By Advocate: Shri B.S. Mainee)

Versus

1. The Secretary,
Railway Board,
Ministry of Railways,
Rail Bhawan, New Delhi.

2. The General Manager,
Northern Railway,
Baroda House,
New Delhi. .. Respondents

(By Advocate: Shri B.S. Jain)

2

5

ORDERS.R. ADIGE, VC (A)

Applicants impugn respondents' letter dated 12.4.2001 (Ann. a-1) asking them to show cause as to why the seniority list of Delhi Division staff and Head Quarters Office staff (typist) should not be separated.

2. Heard both sides.

3. Although the impugned letter dated 12.4.2001 states that a decision has already been taken to separate the two seniority lists, and to that extent applicants can legitimately complain that the show cause notice has been reduced to a formality, the fact does remain that applicants have been given an opportunity to show cause again the separation, and they have also filed their reply to the show cause notice on 8.5.2001 (annexed with rejoinder dated 27.87.2001). We have not been shown any order passed by respondents disposing of applicants' aforesaid reply dated 8.5.2001.

4. Applicants counsel Shri Maine has cited various rulings on the point that the Tribunal is not precluded from intervening even at the present interlocutory stage, but even so, when applicants have themselves responded to respondents' show cause notice dated 12.4.2001 by filing a reply on 8.5.2001 it is

✓

(6)
(6)

only fit and proper that respondents dispose of that reply before we are called upon to adjudicate this matter.

5. Accordingly this O.A. is disposed of with a direction to respondents to dispose of applicants' reply dated 8.5.2001 by a detailed, speaking and reasoned order in accordance with rules and instructions within three months from the date of receipt of a copy of this order under intimation to applicants. If any grievance still survives it will be open to applicants to seek revival of this O.A. through an M.A. by impugning the order passed pursuant to this direction. No costs.



(Dr. A. Vedavalli)
Member (J)



(S.R. Adige)
Vice Chairman (A)

karthik