

18

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NOS.3135, 2564 & 3132 OF 2001
M.A.NO. 378/2002 in O.A.3132/2001

Thursday, this the 4th day of July, 2002

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri S.A.T. Rizvi, Member (A)

O.A.NO.3135/2001

1. MD. Idris Ansari
S/o Mohd. Barkat Ullah
Chief Parcel Supervisor
Northern Railway
Delhi
R/o L-224-D, Jagatpuri
Mandoli Road, Gali No.5
Delhi Shahdara, Delhi.
2. Sh. I.C.Vidya Sagar
S/o Shri B.Prasad Sharma
Chief Parcel Supervisor
Northern Railway
Delhi Jn.
R/o C-2/288, Yamuna Vihar
Delhi.
3. Shri Jai Narain Garg
S/o Shri Bhaiya Ram Garg
Chief Parcel Supervisor
Northern Railway
New Delhi
R/o C-6, Inderpuri, Old D.C.Road
Behind Bhagat Hospital
Sonepat, Haryana.
4. Mohd. Mansood Ahmed
S/o Mohd. Azum
Chief Parcel Supervisor
Northern Railway
Nizammudin, New Delhi.
R/o A-11/35, Lane No.3
Babarpur, Shahdara, Delhi-32.
5. Shri D.P.Yadav
S/o Shri B.P.Yadav
Chief Parcel Supervisor
Northern Railway
New Delhi.
R/o C-1/259, Yamuna Vihar,
Delhi.
6. Shri A.N.Saxena
S/o Shri S.N.Saxena
Chief Parcel Supervisor
Northern Railway
Delhi Junction
R/o C/12/466, Yamuna Vihar
Delhi-110053.
7. Shri Anand Prakash
S/o Shri Lekh Raj

Chief Parcel Supervisor
 Northern Railway
 New Delhi.
 R/o F-450, Pritampura
 Delhi-110024.

...Applicants

(By Advocate: Shri S.K.Sawhney)

Versus

1. Union of India
 through General Manager
 Northern Railway
 Baroda House
 New Delhi.
2. Divisional Railway Manager
 Northern Railway
 DRM Office, Chelmsford Road
 New Delhi.

...Respondents

(By Advocates: Shri R.L.Dhawan & Shri Rajeev Bansal)

O.A.NO.2564/2001

1. All India Equality Forum
 Through Its Divisional President
 Shri R.S.Shukla, Northern Railway
 Moradabad Division,
 Working as Chief Inspector Tickets,
 Northern Railway
 Dehradun.
2. Shri R.S.Shukla,
 Chief Inspector Tickets,
 Northern Railway
 Dehradun.
3. Shri Ram Saran Verma S/o Shri G.L.Verma
 Working as Office Supdt.-I
 DRM's Office
 Northern Railway
 Moradabad.
4. Shri K.K.Bhatia S/o Shri S.S.Bhatia
 Working as Junior Inspector Ticket,
 Northern Railway
 Moradabad.
5. Shri Mukh Ram Singh S/o Shri Ram Roop
 Working as Head Booking Clerk,
 Northern Railway
 Moradabad.

...Applicants

(By Advocate: Shri P.S.Mahendru)

Versus

1. Union of India through
 The Chairman,
 Railway Board
 New Delhi.

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

3. The Divisional Railway Manager,
Northern Railway,
Moradabad.

... Respondents

(By Advocate: Shri R.L.Dhawan)

O.A.NO.3132/2001

1. All India Equality Forum (Regd)
IV-N-20, Double Storey,
Lajpat Nagar,
New Delhi.
Represented by its Assistant
General Secretary, Shri A.K.Sinha,

2. Miss. Bimla Sardana,
D/o Late Shri Om Prakash,
Office Superintendent Grade-I,
Mechanical Branch,
Northern Railway,
Baroda House,
New Delhi.
AND
Resident of 159/5, Railway Colony,
Kishan Ganj,
Delhi.

3. Shri Kalyan Singh
S/o Late Shri Gaurar Singh
Office Superintendent Grade-II,
Mechanical Branch,
Northern Railway,
Baroda House,
New Delhi.
AND
Resident of 5/9, Railway Colony,
Lodhi Road,
New Delhi.

4. Shri Arvid Kumar
S/o Late Shri Kedar Prasad Singh
Head Clerk,
Mechanical Branch,
Northern Railway,
Baroda House,
New Delhi.
AND
Resident of 16/50, Geeta Colony,
Delhi-31.

... Applicants

(By Advocate: Shri P.S.Mahendru)

Versus

1. Union of India through
The Chairman
Rail Bhawan
New Delhi.

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

3. The Chief Personnel Officer,
Northern Railway,
Baroda House,
New Delhi.

.. Respondents

(By Advocate: Shri Rajinder Khatter)

O R D E R (ORAL)

Shri Justice Ashok Agarwal:

It is not disputed by the learned counsel that the issues raised in these cases with regard to the revision of the seniority list as per the decision of Hon'ble Supreme Court in Ajit Singh Vs. State of Punjab and Others (AIR 1999 SC 379) read with the subsequent decision of the Hon'ble Supreme Court with regard to the 85th Amendment of the Constitution regarding the determination of the seniority of the staff belonging to SC/ST communities is subjudice before the Hon'ble Supreme Court. Both learned counsel for parties have also submitted that the question of issuance of the seniority list/revision of seniority list with regard to the employees, who belong to the reserved categories, is, therefore, to be done after the decision by the Hon'ble Supreme Court. The Apex Court has also issued a status-quo order in March, 2002.

2. In the facts and circumstances of these cases and taking into account the submissions made by the learned counsel for the parties, we are of the view that as the relevant facts and issues raised in these present OAs are subjudice before the Hon'ble Apex Court, it would be appropriate to dispose of these OAs as follows -



(5)

3. The respondents shall take further decision on the issues raised in these OAs in accordance with the decision and directions of the Hon'ble Supreme Court in the aforesaid pending case.

4. In view of the aforesaid final disposal of the OAs, nothing now survives in MA-378/2002 in OA-3132/2001. The same is also disposed of. No order as to costs.

(S.A.T. Rizvi)
Member (A)

/sunil/

(Ashok Agarwal)
Chairman

Attested

Ashok
Agarwal
C.O. CT