

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  
Sonapat, 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

(19)

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 &amp; 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.

A B A



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

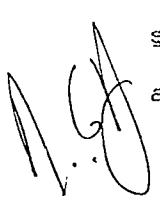
(By Advocate: Shri Rajinder Khatter)

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)

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(Ashok Agarwal)  
Chairman

Attested

Planned  
CO. CF