

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 2809/2001

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New Delhi this the 28th day of February, 2002

Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri Govindan S.Tampi, Member (A)

1. Shri S.N.Srivastava
working as Office Supdt.I
claim Branch,Northern Railway,
N.D.C.R.Building, State
Entry Road, New Delhi.
2. Shri Daryao Singh
Office Supdt. I
Claim Branch, Northern Rly.,
N.D.C.R.Building, State
Entry Road, New Delhi.
3. Shri S.K.Singhal
Office Supdt.I
Claim Branch,Northern Rly.,
N.D.C.R.Building, State
Entry Road, New Delhi

..Applicants

(By Advocate Shri S.K.Sawhney)

VERSUS

1. Union of India through
General Manager, Northern
Railway, Baroda House, New
Delhi.
2. Shri Samay Singh Meena,
Office Supdt. I,
Claim Branch, Northern Rly.,
N.D.C.R. Building, State Entry
Road, New Delhi.

..Respondents

(By Advocate Shri Rajinder Khatter
for Respondent No.1)

(By Advocate Shri P.M.Ahlawat,
for Respondent No.2)

O R D E R (ORAL)

(Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman (J)

We have heard Shri S.K.Sawhney,learned counsel for
the applicants and Shri Rajinder Khatter,learned counsel
for the respondents who have referred to several relevant

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judgements of the Hon'ble Supreme Court, on the basis of which the various orders have been issued by the Govt. of India, Department of Personnel and Training, latest being the DOP&T OM dated 21.2.2002, copy placed on record. In the circumstances learned counsel for the parties agree that the OA may be disposed of with a direction to the official respondents to re-consider the basis of annexure A.1 seniority list, which has been impugned in this application, to ensure that the same has been issued in accordance with law laid down by the Apex Court. It is further noticed from the latest OM issued by the DOP&T in January, 2002 that the Govt. of India itself has laid a certain target time for completion of this exercise and have requested all the Ministries/Departments to implement the decision within the time mentioned therein.

3. In view of the present position, including the recent Eighty-fifth Amendment of the Constitution of India, amending article 16 (4 A) of the Constitution, we consider that in the interest of justice, some time should be given to respondent No.1 to take an appropriate decision in the matter, including, if necessary revision of the impugned seniority list dated 4.7.2001 in the present OA. Accordingly OA is disposed of, hoping that the respondents will take the appropriate decision in the matter within the time mentioned in Paragraph 5 of the DOP&T OM dated 21.1.2002.

4. OA is accordingly disposed of as above. No order as to costs.

(Govindan S. Tampi)
Member (A)

SK

(Smt. Lakshmi Swaminathan)
Vice Chairman (J)