

(2)

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

(By Advocate: Shri S.K.Sawhney)

...Applicants

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.



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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)

Q.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.



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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 subiudice 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 subiudice before the Hon'ble Apex Court, it would be appropriate to dispose of these OAs as follows -

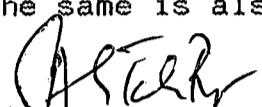


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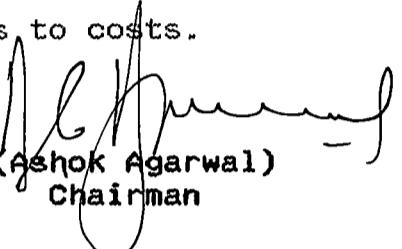
3. The respondents shall take further decision on the issues raised in these OAs in accordance with the decision and directions of the Hon'ble Supreme Court in the aforesaid pending case.

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