CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.3437/2001

New Delhi this the 3rd day of December, 2002.

HON'BLE MR. V.K. MAJOTRA, MEMBER (A)
HON'BLE MR. SHANKER RAJU, MEMBER (J)

Smt. Renu Vasudeva, W/o Shri S.K. Vasudeva,
House No. 28/7, DCM, Railway Colony,
Delhi-110007.

-Applicant

(By Advocate: None)

Versus

1. Union of India through
   Ex-Officio Principal Secretary to the
   Govt. of India, Ministry of Railways &
   Chairman, Railway Board, Rail Bhawan,
   New Delhi-110001.

2. The Deputy Chief Personnel Officer (HQ)
   Northern Railway,
   Baroda House, New Delhi-110001.

-Respondents

(By Advocate: Shri Rajinder Khatter)

ORDER (Oral)

Hon'ble Shri Shanker Raju, Member (J)

OA is disposed of in terms of Rule-15 of Central
Administrative Tribunal (Procedure) Rules, 1987.

2.   Applicant impugns seniority list dated 18.10.2001
and states that the respondents have violated the law laid
down by the Apex Court in the case of **Ajit Singh-II &
Others** as well as Tribunal's orders dated 17.9.2001.   He
has sought quashment of the seniority list and review of
the seniority of Office Superintendent Grade-I with all
consequential benefits.

3.   On the other hand, respondents states that in
pursuance of 85th Amendment of the Constitution, Government
has decided to negate the effects of the DOP&T O.M. dated

30.01.1997 by amending Article 16 (4) of the Constitution which provided retention of seniority in the case of promotion by virtue of rule of reservation. In this view of the matter, it is stated that Tribunal's directions have been complied with.

4. We have carefully considered the rival contentions of the parties. In view of the challenge to 85th Amendment and as the Apex Court has directed to maintain the satus quo, we dispose of the OA with a direction to respondents that the reservation &seniority in of the post of Office-Superintendent-I shall be subject to the final outcome of the Apex Court.

5. With these observations, OA is disposed of. No costs.

S. Raju

(Shanker Raju)
Member (J)

V.K. Majotra

(V.K. Majotra)
Member (A)

cc.