

Central Administrative Tribunal  
Principal Bench

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1) O.A. No. 540 of 2001.

2) O.A. No. 541 of 2001  
AND

3) O.A. No. 564 of 2001

New Delhi, dated this the 18 March, 2002

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)  
HON'BLE MR. KULDIP SINGH, MEMBER (J)

1) OA No. 540/2001

Ravinder Kumar,  
S/o Shri Ajab Singh  
Material Checking Clerk,  
Under Deputy Chief Engineer (Construction),  
Northern Railway,  
Tilak Bridge,  
New Delhi. .... Applicants.

Versus

Union of India,  
through

1. the General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.
2. The Chief Administrative Officer  
(Construction),  
Northern Railway,  
Kashmere Gate,  
Delhi.
3. The Deputy Chief Engineer  
(Construction)  
Northern Railway,  
Tilak Bridge,  
New Delhi.
4. The Divl. Railway Manager,  
Northern Railway,  
Ambala Cantt. .. Respondents.

2) O.A. No. 541 o/2001

Amrik Singh,  
S/o Shri Balwant Singh  
Material Checking Clerk,  
Under Deputy Chief Engineer (Construction),  
Northern Railway,  
Tilak Bridge,  
New Delhi. .... Applicants.

Versus

Union of India,  
through

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1. the General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.

2. The Chief Administrative Officer  
(Construction),  
Northern Railway,  
Kashmere Gate,  
Delhi.

3. The Deputy Chief Engineer  
(Construction)  
Northern Railway,  
Tilak Bridge,  
New Delhi.

4. The Divl. Railway Manager,  
Northern Railway,  
State Entry Road,  
New Delhi. . . Respondents.

3) OA No. 564/2001

Ashok Kumar,  
S/o Shri Sita Ram  
Material Checking Clerk (Ad hoc)  
Under Deputy Chief Engineer (Construction),  
Northern Railway,  
Shivaji Bridge,  
New Delhi. . . Applicants.

Versus

Union of India,  
through

1. the General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.

2. The Chief Administrative Officer  
(Construction),  
Northern Railway,  
Kashmere Gate,  
Delhi.

3. The Deputy Chief Engineer  
(Construction)  
Northern Railway,  
Shivaji Bridge,  
New Delhi. . . Respondents.

Advocates:

Shri B.S. Maine for the applicants.  
Shri H.K. Gangwani for respondents.

ORDER

S. R. ADIGE, VC (A)

As these 3 OAs involve similar questions of

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this common order.

2. In each of these OAs applicants impugn a notice dated 27.2.2001 issued to them directing them to show cause why they should not be repatriated to their parent division.

3. Clearly these OAs are highly premature because without applicants replying to the show cause notices and awaiting respondents' orders thereon they have rushed to the Tribunal. Indeed the OAs are not maintainable at this stage, in the absence of any order passed by respondents in regard to which applicants can claim to be aggrieved under Section 19 (1) AT Act.

4. Under the circumstances, without going into the merits of applicants' claims in the OAs at this stage, the same is disposed of, giving leave to applicants to file their reply to the show cause notice within 8 weeks from the receipt of a copy of this order. In the event applicants file their reply to the show cause notice within the aforesaid period, respondents should dispose of the same within 3 months from the date of receipt of applicants' reply, and in the event respondents decide to reject the representations, <sup>they</sup> should give reasonable time, before the rejection will take effect, to enable applicants to reagitate their grievances before the Tribunal, if so advised.

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5. It is made clear that we are not going into the merits of applicants' claim at this stage.

6. The OA's are disposed of as above. No costs.

7. Let a copy of this order be placed on each OA's case records.

(Kuldeep Singh)  
Member (J)

(S.R. Adige)  
Vice Chairman (A)

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*Arms*  
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