

Central Administrative Tribunal  
Principal Bench

O.A. No. 595 of 2001

New Delhi, this the 9th April, 2003

HON'BLE MR. JUSTICE V.S. AGGARWAL, CHAIRMAN  
HON'BLE MR. S.K. MAIHOTRA, MEMBER (A)

Bachan Singh,  
S/o Shri Bulaki Ram  
Lab Khalasi,  
Diesel Shed Laboratory,  
Tughlakabad  
New Delhi - 44

R/o 58, DIT, Railway Colony,  
Tughlakabad,  
New Delhi - 44

...Applicant.

(By Advocate: Shri K.N.R. Pillai)

Versus

1. Union of India, through  
The General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.
2. The Divisional Railway Manager,  
Delhi Division, Northern Railway,  
State Entry Road,  
New Delhi - 1
3. Shri Jagdish Prasad,  
Lab Assisant,  
Office of Sr. Section Engineer,  
Diesel Shed, Tughlakabad,  
New Delhi - 44
4. Shri Imtiaz Ali,  
Lab Assistant,  
Office of Sr. Section Engineer,  
Diesel Shed, Tughlakabad,  
New Delhi - 44

...Respondents.

(By Advocate: Shri Rajeev Bansal)

ORDER (Oral)

Justice V.S. Aggarwal

By virtue of the present O.A., the applicant seeks quashing of the selection finalised on the basis of the incorrect seniority list with a direction that the candidates empallened cannot be so appointed.



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2. During the course of submissions, the learned counsel for the applicant stated that the provisional panel has been prepared on the basis of incorrect revised seniority list. The applicant has already submitted objections against the said seniority list on 17.9.99 which is a joint representation followed by an appeal dated 26.10.99. No decision in this regard has been taken as yet.

3. It is not in dispute that if the applicant on the basis of said seniority list is placed senior, he would score a march over the private respondents whose names have been incorrectly placed above the applicant in the said seniority list.

4. Accordingly, it is directed that before finalising the panel, Respondent No.2 Divisional Railway Manager within six months from the date of receipt of certified copy of the present order will take a conscious decision and will pass a speaking order on the representation pertaining to the seniority. It should be communicated to the applicant.



( S.K.MALHOTRA )  
Member(A)



( V.S.AGGARWAL )  
Chairman

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