

Central Administrative Tribunal
Principal Bench: New Delhi

OA No. 1739/98

New Delhi this the 8th day of ~~September~~ ^{October} 1999

Hon'ble Mr. Justice V. Rajagopala Reddy, VC (J)
Hon'ble Mrs. Shanta Shastray, Member (A)

1. Shri D.C. Joshi
Dy. General Manager (Rail Expo)
Northern Railway
Baroda House
New Delhi.
2. Shri K. Chowdhury
Dy. Director (Railway Stores)
Railway Board
Rail Bhawan
New Delhi.
3. Shri Dinesh Chandra
O.S.D. (Railway Stores (cab))
Railway Board
Rail Bhawan
New Delhi.

...Applicants

(By Advocate: Shri B.S. Mainee)

Versus

Union of India: through

1. The Secretary
Ministry of Railways
Rail Bhawan
New Delhi
2. The Chairman
Railway Board
Rail Bhawan
New Delhi
3. The Secretary (Supply)
Ministry of Commerce
Department of Supply
Nirman Bhawan
New Delhi.

...Respondents

(By Advocate: Shri N.K. Aggarwal with
Shri B.S. Jain)

ORDER (Oral)

By Reddy, J.-

Heard the counsel for applicants and the
respondents.

Open

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2. The only relief claimed in the OA is for absorption of the applicants in the IRSS of the Railway Department as per Memorandum of Railway Board dated 6.10.97 and to give all the consequential benefits.

3. Counter affidavit has been filed stating that the applicants have been accordingly absorbed. In the order dated 13.10.98 it was clearly stated that the applicants have been absorbed in the Railways subject to the outcome of the present OA and subject to the outcome of some other cases before the other Benches of the CAT and also subject to the orders passed by the CAT Mumbai Bench on 7.9.98 in OA 723/98 and order passed by CAT Ahmedabad Bench in OA-574/98.

4. Learned counsel, however, submits that all the OAs have been dismissed and the stay orders have been vacated. If that is so, we direct that the respondents will pass suitable orders modifying the above orders dated 13.10.98. Learned counsel for applicants submits that the applicants are also entitled for consequential benefits. It is needless to say that as the applicants have been absorbed, the applicants are also entitled for consequential benefits viz; fixation of seniority from the date of absorption and promotion etc. Respondents are directed to fix the seniority of the applicants as stated above as early as possible.

5. With this observations, the O.A. is accordingly disposed of.

Q. 9
(Mrs. Shanta Shastry)
Member (A)

Reddy
(V. Rajagopala Reddy)
Vice-Chairman (J)