

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

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O.A.NO.209/95

Hon'ble Smt. Lakshmi Swaminathan, Member(J)  
Hon'ble Shri R.K. Ahooja, Member(A)

New Delhi, this the 14th day of August, 1997

1. Surender Dutt S/o Sh. Rati Ram  
Khalasi,  
Loco Shed Northern Railway  
Saharanpur.

RESIDENTIAL ADDRESS:

Surender Dutt  
Q.No. 479/I/T-2  
Railway Colony,  
Saharanpur.

2. Ompal S/o Shri Sher Singh  
Khalasi,  
Loco Shed, Northern Railway  
Saharanpur.

RESIDENTIAL ADDRESS:

Ompal  
Vill. Charv,  
P. Ambatapur,  
Saharanpur.

3. Ranjender Kumar S/o Sh. Jagan Nath  
Khalasi  
Loco Shed, Northern Railway,  
Saharanpur.

RESIDENTIAL ADDRESS:

Ranjender Kumar  
Block No. 18 M,  
Railway Colony,  
Saharanpur.

4. Anil Kumar S/o Sh. Jai Parkash  
Khalasi,  
Loco Shed, Northern Railway,  
Saharanpur.

RESIDENTIAL ADDRESS:

Block No. 379/I,  
Khalasi Line,  
Saharanpur.

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5. Babu Ram S/o Sh. Mukand Ram  
Khalasi,  
Loco Shed, Northern Railway,  
Saharanpur.

RESIDENTIAL ADDRESS:

Babu Ram  
Vill. & P.O. Phar Pur,  
Saharanpur District,  
Saharanpur.

6. Dharamveer Singh S/o Sh. Gaje Singh  
Khalasi,  
Loco Shed, Northern Railway,  
Saharanpur.

RESIDENTIAL ADDRESS:

Dharamveer Singh  
Block No.99/A, Railway Colony,  
Saharanpur.

7. Umma Shanker S/o Sh. Rampyara  
Khalasi  
Loco Shed, Northern Railway,  
Saharanpur.

RESIDENTIAL ADDRESS:

Umma Shankar  
Block No.163/M, Railway Colony,  
Khalasi Line,  
Saharanpur.

8. Santosh Kumar S/o Sh. Ram Lal  
Khalasi,  
Loco Shed, Northern Railway,  
Saharanpur.

RESIDENTIAL ADDRESS:

Santosh Kumar  
H.No.1/973, Sarda Nagar,  
Saharanpur.

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9. Bickram Singh S/o Sh. Shree Chand Singh  
Khalasi,  
Loco Shed, Northern Railway,  
Saharanpur.

RESIDENTIAL ADDRESS:

Block No. 114/B, Railway Colony,  
Saharanpur.

10. Chaman Lal S/o Sh. Jeevan Singh  
Khalasi,  
Loco Shed, Northern Railway,  
Saharanpur.

RESIDENTIAL ADDRESS:

Block No. 514-A, Railway Colony,  
Saharanpur.

11. Saleem S/o Sh. Habib Ahmed  
Khalasi,  
Loco Shed, Northern Railway,  
Saharanpur.

RESIDENTIAL ADDRESS:

Salem  
Mo. Rahima bad, Chotiline,  
Saharanpur.

.... Applicants

(By Shri G.D.Bhandari, Advocate)

Vs.

1. Union of India through  
the General Manager—  
Northern Railway  
Baroda House  
New Delhi.
2. The Chief Operating Manager  
Northern Railway  
Baroda House  
New Delhi.

PS:

3. The Divisional Railway Manager  
Northern Railway  
Ambala Cantt.

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4. Shri Kanwar Pal  
s/o Shri Narender Singh  
Loco Cleaner  
N.R.Loco Shed  
Saharanpur.

5. Shri Suresh Chand  
s/o Shri Nanak Chand  
Loco Cleaner  
N.R. Loco Shed  
Saharanpur.

6. Kishan Prasad  
s/o Shri Nageshwar  
Loco Cleaner  
N.R.Loco Shed  
Sharanpur.

... Respondents

(By Shri R.L.Dhawan, Advocate)

O R D E R(Oral)

Hon'ble Smt. Lakshmi Swaminathan, Member(J)

Both the counsel submit that this is a covered case and they are relying on the Judgment of Man Singh & Others Vs. Union of India & Others (OA No.2245/96 decided on 05.06.1997). A copy of the same is taken on record. Therefore, they are praying that this OA may be disposed of on similar lines. In that Judgment, it was held as follows:

"The question whether or not vacancies in the cadre of Loco Cleaners are available against which applicants could be adjusted is a question of fact. In case applicants have information of the availability of vacancies of Loco Cleaners against which they could be redeployed in accordance with rules and instructions which is readily not within the knowledge of respondents, it is open to applicants to bring details of the same to the notice of respondents by filing a self contained representation on receipt of which respondents should examine and dispose of the same in accordance with rules and instructions on the subject as expeditiously as possible and preferably within 3 months of the date of receipt of the representation under intimation to applicants."

Y.S.


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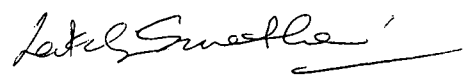
2. In view of the above, the OA is disposed of with the following directions:-

- a) The respondents shall ascertain the vacancy position in the category of the Loco Cleaners against which the applicants can be adjusted. In this regard, the applicants may also make a detailed representation to the respondents immediately to enable them to examine the position in accordance with the Rules and instructions on the subject. This action shall be taken within a period of three months from the date of receipt of a copy of this order with intimation to the applicants.

OA disposed of as above. No order as to costs.

  
(R.R. AHOJA)  
MEMBER (A)

/rao/

  
(SMT. LAKSHMI SWAMINATHAN)  
MEMBER (J)