

CENTRAL ADMINISTRATIVE TRIBUNAL

O.A. NO.2425/95

New Delhi this the 19th day of April, 1996

Hon'ble Shri S.R. Adige, Member(A)

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

1. S.K. Kaushik
s/o Shri Lal Chand
r/o C-16-C, Railway Colony,
Lajpat Nagar,
New Delhi.
2. R.K. Sharma,
s/o Shri Basdev Sharma,
r/o E-125 'A' Lajpat Nagar,
Sahibabad,
Ghaziabad(UP).
3. N.C. Bahuguna,
s/o Shri S.C. Bahuguna,
r/o GH-6/137, Paschim Vihar,
New Delhi.

... Applicants

By Advocate: Shri V.P. Sharma

Vs.

1. Union of India through
General Manager,
Northern Railway, Baroda House,
New Delhi.
2. The General Manager,
Northern Railway, Baroda House,
New Delhi.
3. The Secretary,
Ministry of Railway, HQ. Baroda House,
New Delhi.
4. Shri K.K. Sethi.
5. Shri Bharat Singh
6. Shri Khushwinder Kumar
7. Shri Ashok Kumar
8. Shri Gurvir Singh
9. Shri Ram Bachan Ram
10. Shri Gurdev Singh
(All Sr. Draftsman, Northern Railway,
Baroda House, New Delhi).
11. Shri Satish Kumar Sr. Craftsman
c/o D.R.M. Office, Northern Railway,
Muradnagar.

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12. Ranbir Singh, Sr. Draftsman
c/o CSDE, Baroda House,
New Delhi.

... Respondents

By Advocate Shri B.S. Jain - for official respondents

By Advocate Shri H.K. Gangwani - for private respondents

ORDER

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

This application was heard along with O.A. 2424/95 as the facts of the case and issues involved were similar with consent of all the parties.

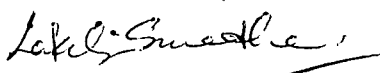
2. The applicants in this case have also challenged the same order dated 11.12.1995 (Annexure A-1). Shri V.P. Sharma, learned counsel for the applicants, has reiterated the arguments of Shri B.S. Mainee, learned counsel for the applicants in O.A. 2424/95 and has relied on the same judgement dated 22.1.90 in O.A. 1886/89 and order dated 5.5.1995 in O.A. 2038/94 which have already been dealt with in our order dated 19.4.96 in O.A. 2424/95.


3. The applicants have also claimed that they were wrongfully ignored for consideration at the time when they were eligible and the vacancies were available for the year 1987. They state that they had been correctly placed in the provisional seniority list of Sr. Draftsman in the year 1988-89 in accordance with their panel position by order dated 12.11.93 in which respondents 4 - 12 were placed below them. However, by the impugned orders dated 11.12.1995, 12.12.1995 their seniority has been adversely affected which they have challenged here. They have qualified in the selection in 1989 and completed their training successfully vide letter dated 21.6.1990 (Annexure A-11).

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4. The respondents have filed similar replies and both Shri B.S. Jain and Shri H.K. Gangwani, learned counsel for the respondents have submitted similar arguments as in O.A.2424/95.
5. For the detailed reasons given in the order in O.A.No.2424/95, this application also succeeds. The O.A. is allowed. Parties to bear their own costs.
6. A copy of the order in O.A. 2424/95 may also be placed in this file.


(Smt. Lakshmi Swaminathan)
Member (J)


(S.R. Adiga)
Member (A)

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