

Central Administrative Tribunal  
Principal Bench

...

O.A. No. 1808/96 &  
O.A. No. 1910/96

5

New Delhi, this the 11th day of September, 1996

Hon'ble Mr. Justice Chettur Sankaran Nair, Chairman  
Hon'ble Mr. R.K. Ahooja, Member (A)

OA No. 1808/96

1. Shiv Raj Pathak  
s/o Mahesh Pathak,  
r/o 337/4, Railway Colony,  
Shakur Basti, Delhi-34.
2. Yogendra Kumar Tyagi  
s/o Shri M.S. Tyagi,  
r/o 310/2, Railway Colony,  
Shakurbasti, Delhi-34.
3. Raj Kumar s/o  
Shri Ganga Ram,  
r/o 3665, Raja Park,  
Shakurbasti, Delhi-34.
4. Sameer Kumar Jain  
s/o Shri N.K. Jain,  
Block R-29G,  
Dilshad Garden,  
Delhi-95.
5. Om Kant,  
s/o Shri Pramod Kumar Sharma,  
E-105, Jahangirpuri,  
Delhi-110 033.
6. Anil Kumar Sharma,  
s/o Shri Roshan Lal,  
r/o ND 49, Vishakha Enclave,  
Delhi-34.
7. Varinder Pal s/o  
Shri Om Dutt Sharma,  
r/o 62-BUL Pehlampur,  
Near Masjid, Badarpur,  
New Delhi-44.
8. Rajesh Kumar,  
R/o 87 B/C, Railway Colony,  
Tuglakabad,  
New Delhi.
9. Mahendr Nath Rajak  
r/o 3082/3, Ranjit Nagar,  
New Delhi.

...2p/-

O.A. No. 1910/96

6

Rishipal  
s/o Shri T.C.Kalra,  
R/o 2802/GF LIG Sector No.3,  
Housing Board Colony,  
Ballabgarh, Faridabad.

(By Shri G.D.Bhandari, Advocate)

...Applicants.

-Versus-

1. Union of India through  
General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.
2. The Divisional Railway Manager,  
Northern Railway,  
State Entry Road,  
New Delhi.
3. The Chief Personnel Officer (ADM)  
Northern Railway,  
Baroda House,  
New Delhi.
4. The CMPE (Ds1),  
Northern Railway,  
Baroda House,  
New Delhi.

...Respondents  
(in both O.As).

The application having been heard on 11.9.1996  
the Tribunal on the same day delivered the following:-

O R D E R

CHETTUR SANKARAN NAIR(J), CHAIRMAN -

Applicants herein were selected and appointed as  
Chargemen. After a shortend course of training they  
were granted appointments in the Delhi Division of the  
Northern Railway. However, their lien has been shown in  
the Jodhpur Division and that is what the applicants  
cannot reconcile themselves to. They submit that lien  
has to be fixed in terms of para 239 of Indian Railway  
Establishment Code Vol.I, 1985. Counsel for applicants

...Contd..3p/-

7

draws sustenance for his contentions from Annexure A-II order ( O.A. No. 1808/96). The contention of applicants must receive attention of the competent authority namely respondent Chief Personnel Officer, Northern Railway atleast in the first instance. Applicants may make a comprehensive representation setting out their case in full and supporting it with reasons. If a representation is so made within four weeks from today, respondent Chief Personnel Officer shall consider the same, if necessary with notice to those who may be affected by any order that he may pass, and pass appropriate orders on the representation within four months from the date of receipt of representation.

Application is disposed of as aforesaid.

Dated, the 11th day of September, 1996.

*R. K. Ahooja*  
(R.K. Ahooja)  
Member (A)

*Chettur Sankaran Nair*  
(Chettur Sankaran Nair, J.)  
Chairman