

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH
NEW DELHI.

D.A. No. 1996/96

New Delhi: dated this the 13th day of May, 1997.

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HON'BLE MR.S.R.ADIGE MEMBER(A).

HON'BLE DR.A.VEDAVALLI MEMBER(J).

1. Shri Mahender s/o Shri Ganga Sahai,

2. Karoo s/o Shri Chhanoo

3. Rajbir s/o Shri Mangli

Gangman, under Permanent Way Inspector,
Northern Railway, Rajghat Narora,

Distt. Bulandshahr.

(By Advocate: Shri G.D.Bhandari), ... Applicants.

Versus

Union of India through
the General Manager,
Northern Railway,
Baroda House,
New Delhi.

2. The Divisional Railway Manager,
Northern Railway,
Moradabad,

3. The Asstt. Engineer/ DGM
Northern Railway,
Chandausi,
Distt. Moradabad.

4. Permanent Way Inspector,
Northern Railway,
Raj Ghat Narora,
Distt. Bulandshahr.

.... Respondents.

(By Advocate: Shri R.L.Dhawan).

JUDGMENT

BY HON'BLE MR.S.R.ADIGE MEMBER(A).

Applicants pray for their placement
on the permanent strength of Gang No.3 under Respondent
No.4

2. Applicants contend that they were appointed
as Gangman in Group 'D' under the administrative jurisdiction

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of Respondent No.3 Asst. Engineer/DEN Chandausi from where they have been placed under R-4. They complain that they have not been put on permanent strength of Gang No.3 under R-4, and have instead been malafidely designated as Addl. Gangman with their names being placed on Muster Roll on a separate sheet. They contend that several vacancies occurred on the permanent strength of Gang No.3 under R-4, but they have not been considered and instead persons junior to them including Shri Chanderpal and Shri Mundraj have been placed on the permanent strength of that gang. They state that they made repeated requests to the concerned authorities in this connection including a joint representation dated 21.5.95, to which they were replied by letter dated 4.9.96 (Ann. 1-A) stating that they were not senior as per the seniority list.

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3. Respondents in their reply state that the applicants were posted as Addl. Gangman under PWI, Rajghat, Narora, and they will be posted against permanent strength in turn in accordance with their seniority. It is denied by respondents that persons junior to the applicants are working against permanent strength. Respondents further state that meanwhile the applicants are getting all privileges, to which they are entitled.

4. The applicants have filed rejoinder in which contentions in their O.A. have been reiterated.

5. We dispose of this O.A. with a direction to the respondents to consider the case of the applicants for their placement against permanent strength subject to availability of vacancies strictly in turn as per their seniority and in accordance with rules.

6. The O.A. is disposed of accordingly. No costs.


(Dr. A. VEDAVALLI)
Member (J)


(S.R. ADIGE)
Member (A)