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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No.1778/2000

WITH

MA No.3110/2000 & MA-22/2001.

New Delhi: this the 9<sup>th</sup> day of February, 2001.

HON'BLE MR.S.R.ADIGE, VICE CHAIRMAN (A)

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

1. All India Scheduled Castes & Scheduled Tribes Railway Employees Association (Regd. No. S-1517) Office at, 171-B/3, Basant Lane, Rly. Colony, New Delhi-55 through its President Sh.Ashok Kumar, S/o Sh.Balam Singh.
2. Ruth Toppo, working as Office Supdt. I, Northern Railway, Baroda House, New Delhi.
3. K.C.Meena, working as Office Supdt. -I, Northern Railway, Baroda House, New Delhi.
4. SC Tudu, working as Office Supdt.-I, in the office of Chief Mechanical Engineer, Alambagh, N.Rly. Lucknow. ....Applicants.

(By Advocate: Shri V.P.Sharma )

Versus

1. Union of India through the General Manager, Northern Railway, Baroda House, New Delhi.
2. The General Manager, Northern Railway, Baroda House, New Delhi.
3. The Secretary, Railway Board, Rail Bhawan, New Delhi. ....Respondents.

And

Respondents 4, 5 & 6 as per Memo of MA No.22/2001.

(By Advocate: Shri E.X.Joseph, Sr.Counsel for R.1,2 & 3.  
With Sh.Rajendra Khattar.  
Shri M.L.Sharma for R.-4,5 & 6.)

ORDER

S.R. Adige, VC(A):

Applicants seek a direction to respondents to issue appropriate guidelines, instructions or orders for implementation of the Hon'ble Supreme Court's judgment dated 16.9.99 in Ajit Singh & Ors. Vs. State of Punjab & Ors. AIR 1999 SC 3471 and to hold that any seniority list revising the seniority of SC/ST Staff promoted earlier vis-a-vis general/OBC staff promoted earlier, without prior issue of the aforesaid guidelines is illegal.

2. We have heard applicant's counsel Shri V.P. Singh and Sr. Counsel for official respondents Shri E.X. Joseph. We have also heard Shri M.L. Sharma appearing on behalf of Shri K.K. Grover and two others whose MA No. 22/2001 for impleadment as respondents in the OA as a proper and necessary party is allowed.

3. We hold that any such direction/finding of the type sought by applicants in para 1 of the OA is not warranted in the facts and circumstances of the present case, and indeed may not even be legal, in the light of the provisions of Section 19 A.T. Act which allows <sup>only</sup> a person aggrieved by any order (emphasis supplied) to approach the Tribunal.

4. If pursuant to the implementation of the Hon'ble Supreme Court's judgment in Ajit Singh's case (supra) applicants are aggrieved by any order passed by respondents, it is open to applicants specifically to impugn the same, after exhausting such departmental remedies as are available to them in accordance with law, if so advised.

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5. Subject to what has been stated in para 4  
above, the OA is dismissed. No costs.

A. Vedavalli  
( DR.A.VEDAVALLI )  
MEMBER (J)

S.R. Adige  
(S.R. ADIGE )  
VICE CHAIRMAN (A).

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