

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

On

D.A. No.1495/88

Dated: 18.10.1993

Daryl D'Souza,)
Hari Prakash,)
Lionel Dawson &)
Madan Singh Basnal }

.... Applicants

Vs.

Union of India through the Secretary, Railway
Board, Rail Bhavan, New Delhi & 18 others Respondents.

Shri K.N.R. Pillay counsel for the applicants.

None for the respondents (Private)

Shri H.K. Gangwani Counsel for official respondents.

CORAM

1. Hon'ble Mr. J.P. Sharma, Member (J)

2. Hon'ble Mr. B.K. Singh, Member (A)

JUDGMENT (ORAL)

(Delivered by Hon'ble Mr. J.P. Sharma, Member (J))

The applicants No.1 to 3 named above are Head Clerks and applicant No.4 is Senior Clerk in the Jhansi Division of Central Railway. They apprehend upsetting of their seniority in view of the decision in the PNM meeting with the representatives of Railway them ~~the~~ National/Mazdoor Union on 9th and 10th June 1988 whereby it was decided on the representation by direct entrants to the cadre of Senior Clerks that necessary action as per the minutes on the items pertaining to the Departments may please be taken as early as possible. Item 16 is regarding the senior clerks in the Technical Department appointed against direct recruitment quota. The applicants have prayed for grant of relief that the the said decision arrived at in the PBM meeting at the headquarters level be quashed with a further direction that the promotees of

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six years when direct recruitment quota was not filled should have their seniority determined by length of ~~xxxxxx~~ continuous officiating service. A notice was issued to the respondents and both official and private respondents contested the application. Shri H.K. Gangwani appeared on behalf of the officials respondents and none appeared on behalf of the private respondents.

2. During the course of hearing it transpired that the respondents have not taken any positive action on the decision arrived at in the PNM Meeting on 9th and 10th June 1988 on item No. 16 of the agenda regarding senior clerks of the promotee quota. The respondents have not issued any orders depressing the seniority of the applicants and as such the present application has been filed in anticipation and apprehension of a likely order affecting their service career.

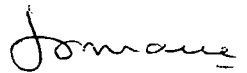
3. The learned counsel for the applicants says that he is not in touch with the applicants and wants to withdraw the application with the liberty to assail the grievances of the applicants after any orders are passed depressing their seniority, on the decision of the PNM meeting held on 9th and 10th June 1993.

4. In view of the facts and circumstances the application is dismissed as withdrawn with the liberty to the applicants to assail any grievance, if survives to them after any order is passed depressing their seniority, on the decision of the PNM meeting of 9th/10th June, 1988.

Cost on parties.



(B.K. Singh)
Member (A)



(J.P. Sharma) (8/10/93)
Member (J)