

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

Original Application No.59/2020

Dated this the 29th day of June, 2020

CORAM:

Hon'ble Sh. Jayesh V. Bhairavia, Member (J)

Hon'ble Sh. A.K. Dubey, Member (A)

1. Shri Chandrasinh J. Parmar,
S/o. Jalamsinh Parmar,
Aged 41 years,
Working as Drafted CCCR (Loco Pilot) at Surendranagar,
R/O:Street No.2, Darbari Plot,
B/h Dajiraj High School,
Wadhvana City, Surendranagar – 363 030.
2. Shri Sureshkumar G. Sharma,
S/o.Shri Gangalaheri Sharma,
Aged 44 years,
Working as Drafted CCR (Loco Pilot) at Surendranagar,
R/O:House No.2, Tulsi Nagar-2,
Nr. New Rly. Station, Surendranagar – 363 001.
3. Dilipsinh R. Rathod,
S/o. Ramsinh Rathod,
Aged 50 years,
Working as Loco Pilot (passenger) at HAPA,
R/o. Raj Park Zero, Plot No.35/1,
Nr.Victoria Bridge,
B/h Jilla Seva Sadan, Jamnagar – 361 007. Applicants

(By Advocate Ms.S.S.Chaturvedi)

Vs.

1. Chairman/Joint Director, E(P&A),
Railway Board,
Rail Bhavan, New Delhi – 110 001.
2. Union of India,
Notice to be served through General Manager,
Western Railway,
Churchgate,
Mumbai – 400 020.
3. The Divisional Railway Manager (E),
Rajkot Division, Kothi Compound,
Rajkot – 360 001.

Respondents

(By Advocate Mr.M.J.Patel)

O R D E R (Oral)

Per:Jayesh V.Bhairavia, Member (J)

1. Heard the learned counsel for both the parties.
2. Counter reply filed by the respondents and the rejoinder filed by the applicants have been taken on record.
3. It is noticed that the present OA has been filed by the applicants aggrieved by the modified scheme issued by the respondents for filling

up the post of Loco Running Supervisors dated 03.07.2019 RBE No.108/2019 (Annexure A/1) as also the notification dated 20.01.2020 for filling up the post of Chief Loco Inspectors (Annexure A/2).

4. The applicants have also prayed for interim relief for direction to be issued upon respondents to decide the representation pending before the respondents by way of interim order and further prayed to allow them to appear in the written test scheduled on 17.06.2020 as per the notification dated 28.05.2020. In this regard it is noticed that the applicants have filed separate M.A. being M.A. No.143/2020 and prayed for interim relief to allow the applicants to appear in the written test, the said M.A. was dismissed by this Tribunal vide order dated 12.06.2020.

5. It is seen that while dismissing the M.A. for interim relief, this Tribunal has noted in its order dated 12.06.2020 that the respondents have not found the applicants eligible for the written test in terms of the existing eligibility criteria. Accordingly, the said M.A. was dismissed.

6. Having noticed about the aforesaid fact as also material on record, we are not inclined to accept the request made by the counsel for the applicants to stay the recruitment/selection process of Chief Loco Inspectors (CLI) till the pending representation of the applicants is considered by the respondents.

7. However, at this juncture, the counsel for the applicants submits that the applicants will be satisfied if appropriate directions will be issued to the respondents to consider the pending representation at the earliest.

8. Considering the aforesaid request on behalf of the applicants, we find it appropriate to dispose of this OA at the admission stage. Accordingly, this OA is disposed of with a direction to the respondents to consider the pending representation, if, not yet decided within 45 days from today and communicate the decision to the applicants expeditiously.

(Dr.A.K.Dubey)
Administrative Member

(Jayesh.V.Bhairavia)
Judicial Member

SKV