

30

Central Administrative Tribunal
Principal Bench, New Delhi

O.A.No.1382/90

New Delhi this the 27th Day of September, 1995.

Hon'ble Shri S.R. Adige, Member (A)
Hon'ble Dr. A. Vedavalli, Member (J)

1. Shri J.N. Sharma,
Shri Durga Prasad
Assistant Superintendent
General Branch, Northern Railway,
R/o E-101, Patel Nagar-II,
Ghaziabad, U.P.
2. Shri Daya Shankar Seth,
S/o Shri Jai Kishan Das Seth
Working as Head Clerk
General Branch, Northern railway,
R/o 223, Gali Jain Mandir,
Shahdara, Delhi-32.
3. Shri C.L. Gupta,
Head Clerk,
General Branch, Northern railway,
R/o C-259, Vivek Vihar,
Shahdara, Delhi-32. Applicants

(By Advocate : Shri S.K. Sawhney)

VERSUS

UNION OF INDIA, THROUGH

1. General Manager,
Northern railway,
Baroda House, New Delhi.
2. Shri Satya Narayan
R/o 23/11 Railway Colony
H. Nizamuddin, New Delhi.
3. Shri Pyare Lal Respondents

(By Advocate : Shri Shyam Moorjani, &
Shri P.M. Ahlawat)

ORDER (ORAL)

(By Hon'ble Shri S.R. Adige, Member (A))

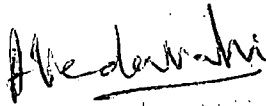
In this application Shri J.N. Sharma & 2 others have sought a direction to the respondents to make further promotions in the Ministerial cadre of the General Branch of the Northern Railway strictly in accordance with Hon'ble Supreme Courts interim orders dated 24.2.84 in

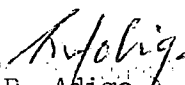
the Union of India Vs J.C. Mallick (Civil Appeal No.2017/78) as clarified by their subsequent order dated 24.9.84 and their Order dated 21.12.84 in the case Girdhari Lal & Others Vs Union of India in Civil Misc Petition No.41996 to 42003 of 1984.

2. This O.A. was kept pending in view of the fact that the final judgement of the Hon'ble Supreme Court in J.C. Mallick's case was still awaited. That judgement has been delivered on 26.7.95, whereby the decision of the Constitution Bench of the Hon'ble Supreme Court in R.K. Sabarwal Vs State of Punjab & Others (1995 (2) SCC 745) has been reiterated.

3. In the background of the Hon'ble Supreme Court's judgement dated 26.7.95 in J.C. Malik's case (supra) respondents are directed to take further action in this matter in accordance with that judgement. Stay orders, if any, passed by this Tribunal in this OA are hereby vacated.

4. This OA is disposed of accordingly. No costs.


(Dr A Vedavalli)
Member (J)


(S.R. Adige)
Member (A)