

(17)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA.1464/90 with OA.1465/90, OA.1466/90, OA.1467/90,
OA.1468/90, OA.1469/90, OA.1472/90, OA.1477/90,
OA.1478/90, OA.1479/90, OA.1742/90, OA.1833/90,
OA.1835/90.

Dated this the 7th Day of March, 1995.

Shri N.V. Krishnan, Hon. Vice Chairman(A)
Dr. A. Vedavalli, Hon. Member(J)

OA.1464/90.

Shri Shishu Ral singh,
S/o Shri Shani Swroop,
R/o 135, Bara Kila,
Ghaziabad, (U.P.)

OA.1465/90

Shri Anand Kishore
S/o Shri Harswoop Singh,
R/o 327/E, Arya Nagar,
Railway Colony,
Ghaziabad, (U.P.)

OA.1466/90

Shri Ram Saran,
S/o Pemsaran,
R/o 102/b-4, Railway Colony,
New Delhi.

OA.1467/90

Shri Rajinder Prasad,
S/o Shri Lalta Prasad,
working as E.T.Elect.Shunter,
Tughlakabad, New Delhi.

OA.1468/90

Shri Parasnath,
S/o Shri Ram Chabiley,
working as Elect.Assistant,
Ghaziabad, (U.P.)

OA.1469/90

Shri Khushal Singh,
S/o Shri Rumal Singh,
R/o House No.166, Tehkand,
New Delhi.

OA.1472/90

Shri Rajender Kumar,
S/o Shri Mangroo Ram,
R/o 139,C, Railway Colony,
Bhoor Bharat Nagar,
Ghaziabad (U.P.)

OA.1477/90

Shri Tulsi Ram,
S/o Shri Jag Dev,
R/o 291-B, Punjab Line,
Railway Colony,
Ghaziabad (U.P.)

OA.1478/90

Shri Kanwar Pal,
S/o Shri Khazan Singh,
Elect. Assistant,
Ghaziabad (U.P.)

OA.1479/90

Shri Surinder Singh
S/o Shri Gian Singh,
R/o 296-b, Punjab Line Railway Colony,
Ghaziabad (U.P.)

OA.1742/90

Shri Milap Chand,
S/o Shri Mangat Ram,
R/o House No.66/D-4, Railway Colony,
Tughlakabad, New Delhi.

OA.1833/90

Shri Ramphal Singh,
S/o Shri Phool Singh,
Elect. Assistant, Ghaziabad(U.P.)

OA.1835/90

Shri Rohtash Singh,
S/o Shri Kanhiyalal,
R/o 15-C, Railway Colony,
Tuglakabad, New Delhi.

By Advocate: Shri Mahesh Srivastava.

versus

1. Union of India through
General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. Senior Divisional Personnel Officer,
DRM Office, Pahar Ganj,
New Delhi.
... Respondents in all the above OAs.

By Advocate: Shri Shyam Moorjani.

O R D E R (Oral)
(By Shri N.V. Krishnan)

All these cases have been listed together for
final hearing. The substance of the grievances of the

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applicants ~~are~~ ^{is} that their juniors have been given higher seniority on the basis of the decision of the High Court rendered in Writ Petition No.81/84. The applicants seek the benefit of that decision for themselves in the determination of their seniority.

2. It appears that the applicants filed a representation in this regard to the Senior Divisional Personnel Officer, DRM Office, New Delhi, which is Annexure-C in OA.1464/90. Not receiving a reply, this OA has been filed for a direction to the respondents to give seniority to them on the basis of the date of appointment as Loco Cleaner or grant the benefit of seniority similar to the benefit granted to Madan Lal and Brijesh Kumar as shown in Annexure-A.

3. The respondents have filed a reply contesting these claims. The matter came up today for consideration. The learned counsel for the applicants submitted that the respondents have still not considered the representation of the applicants. He suggested that it would be fair if the applicants are permitted to file a detailed representation to the respondents and the respondents are directed to dispose of the representation within a specified period. The learned counsel for the respondents did not have any objection to the disposal of this OA on this basis without going through the merits of the claim.

4. In the circumstances, we are of the view that all these OAs should be disposed of by issuing a suitable direction to the parties. Accordingly, we dispose of these OAs by permitting the applicants to submit a detailed representation within 4 weeks from the date of receipt of this order and in case, such representations are received, the respondents are directed to disposed them of, within 2 months from the date of receipt of such representations, ignoring the reply, they have filed to these OAs contesting the claims made by the applicants. In other words, the respondents should dispose of the representations de novo and in accordance with law and communicate the results to the applicants. We make it clear, if there is any further grievance, it is open to the applicant to seek redress in accordance with law.

5. In case, it is found that for the disposal of these representations it is necessary to hear other parties, the respondents shall do so, after giving notice to them.

6. The OA is disposed of accordingly. No costs.

(Dr. A. Vedavalli)

Member(J)

(N.V. Krishnan)

Vice Chairman(A)

PRITAM SINGH
Court Crt.cer
Central Administrative Tribunal
Principal Bench
Faridkot House, New Delhi