

(16)

Central Administrative Tribunal
Principal Bench, New Delhi

O.A.No.1618/91

New Delhi this the 10th day of January, 1996.

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

1. Naresh Chander
S/o Shri Jai Singh
Guard, Railway Station
Moradabad.
Quarter No.H-216-A, Railway
Colony, Harthala, Moradabad.
2. Raj Kishore,
S/o Shri K. Singh,
Guard, Railway Station
Moradabad.
T-38-E, Railway Quarter
Line Par, Moradabad.
3. Shok Dhir Singh,
S/o Shri S.Lal Singh,
Guard, Railway Station,
Moradabad.
Railway Quarters,
Line Par, Moradabad.
4. Pritam Saran,
S/o Hari Dass,
Guard, Railway Station,
Moradabad.

Railway Quarter, Line Par
Moradabad.
5. Shyam Saran,
S/o Shri Hari Kishore,
Guard, Railway Station,
Moradabad.

E-67-B, Railway Colony,
Moradabad.Applicants

(By Advocate : Shri G.D. Bhandari)

VERSUS

UNION OF INDIA, THROUGH

1. General Manager,
Northern Railway,
Baroda House, New Delhi.
2. Divisional Railway Manager,
Northern Railway,
Moradabad. ...Respondents

(By Advocate : Shri Rajesh)

/A

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

In this application Shri Naresh Chand & Others have sought a direction to set aside and quash ^{the} ~~recast~~ seniority list vide Respondents letter dated 10.12.90 (A-1), and to restore the seniority list issued vide letter dated 14.2.89 (A-11) (Annexure A-2).

2. ^{on} ~~the~~ the last date of hearing the respondents' counsel had stated that the ^{impugned} seniority list dated 10.12.90 was a provisional one only, and was subject to the final judgement of the Tribunal in O.A.No.1168/90. It further appears that ^{by} the interim order dated 6.6.90 in O.A.1168/90 the respondents had been directed to fix the seniority of SC/ST employees viz-a-viz other employees, strictly in accordance with the judgement of the CAT Allahabad Bench in the case of Veer Pal Singh Chauhan Vs Union of India (1987 (4) ATC 685). It further appears that ^{the} ~~the~~ judgement of the CAT Allahabad Bench in Veer Pal Singh Chauhan's ^{case} (Supra), was challenged in the Hon'ble Supreme Court in ^{an} SLP, who by their judgement dated 10.10.95 reproduced in JT 1995 (7) SC 231, have finally disposed of that matter.

3. On the last date, Applicants counsel has been given an opportunity to state any reasons as to why the present O.A. should not be disposed of in the background of the Hon'ble Supreme Court's

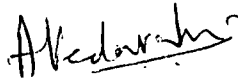
(3)

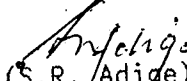
Judgement in Veer Pal Singh Chauhan case (Supra),
An opportunity was was given to him to state so
by the next date.

4. The case accordingly came up for hearing
^{but} today, although we waited till 4 p.m., none
appeared for the applicant.

5. We have heard Shri Rajesh, learned
counsel for the respondents.

6. Accordingly, this O.A. is disposed of,
^{leaving it open} ~~to the respondents to proceed~~
further in the matter, in accordance with law as
settled by the Hon'ble Supreme Court in Veer Pal
^{case} Singh Chauhan (Supra). No costs.


(Dr A. Vedavalli)
Member (J)


(S.R. Adige)
Member (A)

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