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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI.

Date of Decision: 6.3.95.

1) O.A.213/91

Shri Rajesh Sharma,  
s/o Shri Jaya Prakash Sharma,  
Diesel Assistant

(Presently designated as  
Fireman Grade 'A')  
Moradabad Division,  
Northern Railway,  
Moradabad & 20 others as per Memo of  
parties .....Applicants.

Versus

Union of India through

1. The General Manager,  
Northern Railway,  
Baroda House,  
New Delhi
2. The Divisional Railway Manager,  
Northern Railway,  
Moradabad.
3. The Chairman,  
Railway Recruitment Board,  
New Annexe Bhawan,  
DRM Office Complex,  
Allahabad. ....Respondents.

2) O.A.No.594/91

Shri Subhash Chander,  
s/o Shri Krishan Pal,  
Diesel Assistant (Presently designated  
as Fireman, Grade 'A'), Northern Rly,  
Lakshar and 21 others as per memo of  
parties. ....Applicants.

Versus

Union of India & others through:

1. The General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.
  2. The Divisional Railway Manager,  
Northern Railway,  
Moradabad.
  3. The Chairman,  
Railway Recruitment Board,  
New Annexe Bhawan,  
DRM Office complex,  
Allahabad, .....Respondents.
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3) D.A.No. 691/91

Shri Krishan Kumar Sharma,  
s/o Shri V.V.Sharma,

2. Shri Raj Kumar,  
s/o Shri Motilal Pahwa,

Both working as Fireman Grade 'A',

under Locoforeman,  
Northern Railway,

Lakshar

....Applicants.

Versus

Union of India through:

1. The General Manager,  
Northern Railway,

Baroda House,  
New Delhi.

2. The Divisional Railway Manager,  
Northern Railway,  
Moradabad.

3. The Chairman,  
Railway Recruitment Board,  
New Annex Bhawan,  
DRM Office Complex,  
Allahabad.

.....Respondents.

Shri B.S.Mainee for the applicants.

Shri Rajesh, Advocate for the respondents.

HON'BLE MR. JUSTICE B.C.SAKSENA, VICE CHAIRMAN

HON'BLE MR. S.R.ADIGE, MEMBER (A).

ORDER (GRAL)

By Hon'ble Mr. Justice B.C.Saksena, Vice Chairman.

All these three O.As involve the common  
question of fact and law.

2. It appears that in pursuance of the advertisement by the Railway Recruitment Board for the post of Diesel Assistants/ Assistant Electric Drivers the applicants applied for the same. The applicants claim that they were selected for the post of Diesel Assistants/ Assistant Electric Drivers but they were posted as Fireman Grade 'A' in Moradabad.

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Division. Aggrieved by the order of posting as Fireman Grade 'A', the applicants have filed these O.As.

3. Shri Rajesh, learned counsel for the respondents have placed before us the copy of the representation made by all these 44 applicants to the Divisional Railway Manager, Northern Railway, Moradabad. Through this representation, the applicants submitted that if the applicants are transferred to another Division of Northern Railway and are given posting as Diesel Assistants/ Assistant Electric Drivers, they will seek withdrawal of these O.As. The learned counsel for the respondents has also placed for our consideration the letter dated 12.5.92 issued by the Divisional Personnel Officer, Northern Railway, Moradabad which indicates that all these 44 applicants have been directed to report to the DRM/NDIS for necessary training for Diesel Assistants/ Assistant Electric Drivers pursuant to a decision taken in the meeting of G.M./NDIS on 16.4.92 and also in terms of G.M.(P)'s letter dated 6.5.92. The applicants have undergone the said training and since they have been posted as Diesel Assistants/ Assistant Electric Drivers, learned counsel for the respondents submitted that these O.As have been rendered infructuous. After perusing the copy of the said representation and the letter dated 12.5.95 which has been placed on record, the O.As are dismissed as having been infructuous. No order as to costs.

*S.R. Adige*  
(S.R. ADIGE)  
MEMBER (A)

*B.C. Saksena*  
(B.C. SAKSENA)  
VICE CHAIRMAN (J)