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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1472/2004
MA No.1248/2004

Vacation Bench

New Delhi this the 8th day of June, 2004.

HON'BLE MR. SHANKER RAJU, MEMBER (JUDICIAL)

1. All India Station Masters' Association
(Delhi Division Branch of Northern Railway)
No.7, Anand Ram Dairy,
Sector 13, R.K. Puram,
New Delhi-110066 through
Sh. G.B. Bhat,
President, 213/392 Vasundra,
Sahibabad, Distt. Ghaziabad.
2. Shri R.D. Swamy,
(General Secretary),
Asstt. Station Master,
Tilak Bridge, New Delhi.
3. Shri Mohd. Inam,
Asstt. Station Master,
Delhi Safdarjang, New Delhi.
4. Shri N.L. Verma,
Station Superintendent,
Delhi Safdarjung, New Delhi.
5. Shri L.P. Gupta,
Dy. Station Superintendent,
Railway Station,
New Delhi.

-Applicants

(By Advocate Shri B.S. Maine)

-Versus-

1. Union of India through the
Secretary, Railway Board,
Ministry of Railways,
Rail Bhawan, New Delhi.
2. The General Manager,
Northern Railway,
Baroda House, New Delhi.
3. The Divisional Railway Manager,
Northern Railway,
State Entry Road,
New Delhi.

-Respondents

O R D E R (ORAL)

By Mr. Shanker Raju, Member (J):

Heard.

2. M.A. for joining together is allowed.

3. The learned counsel for applicants states that a merger has taken place in the Commercial Department with prospective effect. Non accord of option results into direction to the respondents not to act upon the order of merger without giving proper notice to applicants in OA 184/03.

4. Shri B.S. Mainee, learned counsel challenges the notification dated 9.10.2003, whereby on restructuring of certain Group 'B' and 'C' posts cadre. As per para 2.1 categories of Station Master, Assistant Station Master, Yard Master and Assistant Yard Master have been merged into one unified cadre of Station Master/Assistant Station Master which would adversely affect the promotional avenues and other service benefits of applicants.

5. Learned counsel states that before such a merger has taken place no option has been sought from the concerned. I also find that the representation made against the order is pending.

6. The General Manager, vide communication dated 7.5.2004 wrote to the Railway Board, recommending review of the order issued on the basis of the decision in OA-184/2003 in Shri Hardev Singh & Others v. Union of India & Anr. decided on 4.6.2004.

7. Ends of justice would be duly met, if the present OA is disposed of at the admission stage itself with a direction to the respondents to pass a reasoned and speaking order on the representation of applicants, having

regard to the decision in OA-184/2003 (supra). Till then the impugned notification shall not be given effect to. I order accordingly. This direction shall be complied with, within a period of two months from the date of receipt of a copy of this order. No costs. OA is disposed of at admission stage.

8. Let a copy of this order, alongwith copy of the OA be sent to the respondents forthwith.

Issue Dasti.

S. Raju

(Shanker Raju)
Member (J)

'San.'