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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.303/2004
M.A.NO.264/2004

Wednesday, this the 11th day of February, 2004

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri S. K. Naik, Member (A)

1. Ajay Kumar Sharma s/o Shri Dev Karan Sharma
2. Akhlesh Kumar Sharma s/o Shri Daya Shanker Sharma
3. Dharam Pal s/o Late Shri Dori Lal
4. Zakir Hussain s/o Shri Lalla Shah
5. Rajendra Kumar s/o Shri *Bakul*
6. Ram Bharosay s/o Shri Makhan
7. Prem Pal Singh s/o Shri Subedar Singh
8. Anil Sharma s/o Shri T.C. Sharma
9. Nazir Hussain s/o Shri Kaley Khan
10. Arvind Singh s/o Shri Gajendra Singh
11. Jitendra Kumar s/o Shri Jiya Lal
12. Mohd. Rais Beg s/o Shri Rashid Beg
13. Ashok Kumar III s/o Shri Pujan Prasad
14. Sant Singh s/o Shri Ram Kishan
15. Rakesh Yadav s/o Mahabir Singh Yadav
16. Raj Kumar Pandey s/o Late Shri Dev Raj Pandey
17. Shri Ram s/o Shri Diggaj Prasad

- All working as First Fireman/Diesel Asstt.
at Senior Section Engineer/Loco, Northern
Railway, Moradabad Division, Moradabad -

..Applicants

(By Advocate: Shri M.L.Sharma for Shri H.P.Chakravorty)

Versus

1. Union of India through
the Chairman, Railway Board
The Principal Secretary to Govt. of India
Ministry of Railways, Rail Bhawan
New Delhi
2. The General Manager
Northern Railway, Baroda House
New Delhi
3. The Divisional Railway Manager
Northern Railway, Moradabad UP

..Respondents

O R D E R (ORAL)

Justice V.S. Aggarwal:

MA-264/2004

MA-264/2004 is allowed subject to just
exceptions. Filing of a joint application is permitted.

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(2)

OA-303/2004

Applicants' grievance is that their names have not been included in the seniority list of the First Fireman/Diesel Assistants in Moradabad Division, Northern Railway.


2. It is asserted that the applicants were put to work as First Fireman/Diesel Assistant from the existing vacancies. Their names were put on the panel on 16.8.1991. It is asserted that a seniority list had been issued in pursuance to the directions of the Allahabad Bench of this Tribunal in OA-371/96 decided on 8.8.2002. The applicants' name did not appear in the said list.

3. The applicants have submitted a representation to the respondents, copy of which is Annexure A-3. Pertaining to which, no decision as yet has been taken.

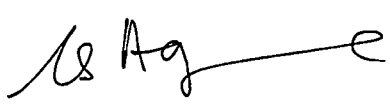
4. At this stage, when rights of the respondents are not likely to be affected, we deem it unnecessary to issue a show cause notice while disposing of the present petition.

5. It is directed that respondent No.3 would consider the representation of the applicants referred to above and pass an appropriate speaking order preferably within four months from the receipt of a certified copy of the present order.

6. OA is disposed of.


(S. K. Naik)
Member (A)

/sunil/


(V. S. Aggarwal)
Chairman