

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 21st day of March, 2002.

Original Application No. 1647 of 2001.

COURT:-

Hon'ble Mr. S. Dayal, A.M.

Hon'ble Mr. AK Bhatnagar, J.M.

1. Amar Nath Rai S/o Sri Ram Rai,  
R/o Manas Bihar Colony, Padari Bazar,  
Gorakhpur.
2. Santosh Kumar Upadhyay  
S/o Sri Jai Narayan Upadhyay,  
R/o Shivpur Sahajganj, Padari Bazar,  
Gorakhpur.
3. Umesh Kumar Singh S/o Sri Brahma Singh,  
R/o Shivpur Sahajganj, Padari Bazar, Gorakhpur.
4. Brijesh Kumar Singh, S/o Kamala Singh  
R/o Shivpur, Sahabujganj, Padari Bazar, Gorakhpur.
5. Dwijesh Bharati S/o Sri Mewa Lal,  
R/o Biehiya Jangal Tulsi Ram, Ayodhya Nagar,  
Gorakhpur.
6. Pranab Kumar Dev Son of Sri B.N. Dev,  
R/o 80, Sant Kabir Nagar Geeta Batka,  
Dharmpur, Gorakhpur.
7. Om Prakash Kannaujia S/o Sri Jang Bahadur  
R/o Out house Bungalow No.76,  
Kaua Bag Railway Colony, Gorakhpur.
8. Dinesh Shanker S/o Sri Tirath,  
R/o Ambedkar Nagar Pachpedwa, Gorakhpur,  
Gorakhpur.
9. Sudhir Kumar S/o Sri R.L. Srivastava,  
R/o Vishnu Puram, Basartpur, Gorakhpur.
10. Promod Kumar Mishra S/o Kali Prasad Mishra,  
R/o 242-E, Jatapur Railway Colony, Gorakhpur.
11. Jafeer Ahmad Khan S/o Sri Kabir Ahmad Khan,  
R/o Jungle Mata Deen, Padari Bazar, Gorakhpur.
12. Sailendra Kumar Srivastava S/o Sri Rajendra  
Prasad Srivastava, R/o T/54-K, Baulia Railway Colony,  
Gorakhpur.
13. Yogendra Prasad S/o Sri Ram Saran Prasad,  
R/o Surdahi Post-Bhainsala (Sahjanawa), Gorakhpur.
14. Anil Kumar S/o Lalman  
R/o Bodwal Post-Mundera  
Post-Basti
15. Aseem Kumar Chandra S/o Sri D.P. Chandra  
R/o Shivpur Sahabujganj, Padri Bazar, Gorakhpur.

16. Krishna Kumar Chaurasiya  
S/o R.D. Chaurasiya,  
R/o Uttri Jatepur M.M. 812(A)  
Basharatpur, Gorakhpur.
17. Deepak Kumar Srivastava,  
S/o Asarfi Lal Srivastava,  
C/o Brahmanand Lal,  
R/o Katahri Bag, Gorakhpur.
18. Dinesh Yadav, S/o Satya Narayan,  
R/o Manaldhar Ban, Post Khajani,  
Gorakhpur.
19. Vinod Kumar S/o Sri Paras Nath Pandey,  
R/o Jagannathpur, Gorakhpur.
20. Sheshikant Sharma S/o Late Suraj Prasad Sharma,  
R/o Chhote Kajipur, Gorakhpur.
21. Dinesh Kumar S/o Lalman  
R/o Vidhya Nagar Dohitola Khalilabad,  
District Sant Kahir Nagar.
22. Ramanuj S/o Chhote Lal  
R/o Utrawal Khalilabad Distt Sant Kahir Nagar.
23. Anil Kumar Ambedkar S/o Neehu Lal,  
R/o Jharna Tola Kunraghan, Gorakhpur.
24. Akhori Mritunjai S/o Ram Prakash Srivastava,  
Psuliya Railway Colony, Gorakhpur.
25. Sachidanand Yadav, S/o Sri Pardeshi Yadav,  
R/o Barsihan, Post Sidhanli, Distt-Gorakhpur.
26. Ram Dayal Prasad S/o Lal Muni Prasad,  
R/o Narsing Dar Post Mai Distt-Deoria.
27. Duddh Nath Prasad S/o Ganapati Prasad Gaur,  
R/o Sisai Gulab Rai, Post Barhaj Bazar, District  
Deoria.
28. Rajesh Kumar Yadav S/o Hari Prasad Yadav,  
R/o Ram Sahad Yadav, Janki Niwas, Behind  
Sri Talkhies, Gorakhpur.
29. Ajai Kumar Dubey S/o Sri Ram Kripal Dubey,  
R/o Jungle Tulsi Ram Bichhiya, P.A.C. Camp,  
Gorakhpur.
30. Brahma Nand Maurya S/o Sri Sugriv Prasad Upadhyay,  
R/o Bargo, Gorakhpur.
31. Kanhaiya Lal Srivastava S/o Babban Lal Srivastava  
R/o House No.5/88, Bauliya Railway Colony,  
Gorakhpur.
32. Walter Rawson S/o Villington Rawson  
R/o Padri Bazar, Gorakhpur.

AV

33. Vijai Kant Maurya S/o Ram Bahal Prasad Maurya,  
R/o Amdihha, Chauri Chaura, Gorakhpur.

(Sri DK Singh, Advocate)

..... Applicants

Versus

1. Union of India  
Through General Manager,  
North East Railway, Gorakhpur.
2. Chief Personnel Officer,  
North East Railway,  
Gorakhpur.
3. Chief workshop Manager,  
North East Railway, Izzatnagar,  
Bareilly.
4. Chief Workshop Manager (Personnel),  
North East Railway, Workshop, Izzatnagar,  
Bareilly,
5. Superintendent, Printing and Stationery,  
North East Railway, Gorakhpur.

(Sri K.P. Singh, Advocate)

..... Respondents

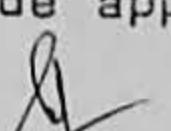
O R D E R (U r a l)

By Hon'ble Mr. S. Dayal, A.M.

This OA has been filed for a direction to the respondents not to appoint any person from direct market and also to the applicants on the basis of their merit when vacancies exist. The applicants also seek setting aside of the order dated 15-9-2001.

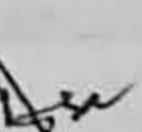
2. Learned counsel for the respondents has been heard as he is present today. There is no prayer for adjournment of learned counsel for the applicant.

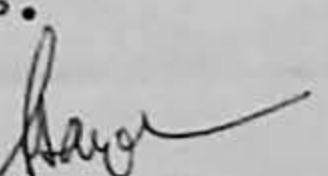
3. The impugned order was passed on account of a direction given by this Tribunal in OA No.706 of 2001 on 30-7-2001 directing respondent no.2 to decide the representation of the applicant in the OA by a speaking order within a period of two months. The applicants who are duly qualified trade apprentices, claim to have



received proficiency in the trade of Hand Compositor, Book Binder, Engraver, Machine Minder, Mono Key Board Operator, Process Cameraman, Lethographer, Plate Maker and Retoucher and claim to have appeared in trade test in 1991 and qualified in three different Batches, No. 58, 56 and 59. The applicants had in that OA sought a direction to the respondents to absorb them in vacancies in preference and not to appoint any person from open market till all are absorbed. The direction was ~~was~~ given to respondent no.2 to decide the representation by a reasoned and speaking order within two months. We find that respondent no.2 has now decided the representation which is impugned in this case before us. Respondent no.2 has explained that as far as recruitment in the Printing Press is concerned, due to induction of new technologies, trades like Letter Press Machine, Hand Composing Book Binding, and Engraving etc. have become obsolete. It is stated that recruitment through competitive open market, selection in Group 'D' has not been resorted to in the Press during the last decade. Besides 76 skilled and supervisory jobs in the relevant out-dated trades have been declared obsolete by the Controller of Stores, North East Railway as a result of which staff has been rendered surplus and is awaiting redeployment. Respondent no.2 has also stated in his order that guidelines laid down by the Hon'ble Supreme Court would be followed and they would be given preference as and when fresh recruitment in their relevant trades takes place.

4. We find no infirmity in the order. We, therefore, dismiss the OA as lacking in merits. No costs.

  
Member (J)

  
Member (A)

Dube/