

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No.1274 of 2001

Allahabad this the 28th day of September, 2004

Hon'ble Mr. Justice S.R. Singh, V.C.
Hon'ble Mrs. Roli Srivastava, Member(A)

1. Om Prakash Lal Choudhary S/o Late Ram Din Choudhary, R/o Jatapur South, Near Udasin Mandir, Post Sadar, P.S. Gorakhnath, District Gorakhpur.
2. Ram Karan Yadav Son of Late Lakhraj Yadav, R/o Village Maghgawan, P.O. Jagat Bela, Distt. Gorakhpur.
3. Vidya Lal Son of Late Triveni, R/o Simeran No.1 P.O. Chargawan, District Gorakhpur.

Applicants

By Advocate Shri Satya Vijai

Versus

1. U.C. India through General Manager, North Eastern Railway, General Manager Office Headquarter, Gorakhpur.
2. Chief Personnel Officer, North Eastern Railway, Headquarter, G.M. Office Gorakhpur.
3. Chief Work Shop Manager, Mechanical Workshop, North Eastern Railway, Gorakhpur.
4. Ram Narain, Ticket No.8809
5. Sateyendra, Ticket No.29
6. Jamaluddin, Ticket No. 9473
8. J.P. Singh, Ticket No. 9476
9. Suresh Singh Ticket No.9556
10. R.K. Yadav, Ticket No. 9592
11. Hanuman Prasad Shukla, Ticket No.9595
12. Sharda Prasad, Ticket No. 9540
13. S.K. Srivastava Ticket No.9599.

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14. Rajendra, Ticket No.9619.
15. R.S.N. Tripathi, Ticket No.9915.
16. Ram Charan Yadav, Ticket No.9689
17. Maunsi Prasad, Ticket No.9613
18. B.N. Tripathi, Ticket No.9916
19. C.B. Mishra, Ticket No.9697
20. Lal Bahadur(SC), Ticket No.9783
21. K.K. Tiwari, Ticket No.9687
22. Awadhesh Singh, Ticket No.9686
23. Satya Narain, Ticket No.9553
24. Mohd. Bismillah, Ticket No.9603
25. Birendra Chaudhary, Ticket No.9807
26. U.C. Tripathi, Ticket No.9536
27. Doodh Nath(SC), Ticket No.9559.
28. D.P. Verma, Ticket No.9602
29. Banarasi Lal Ticket No.9822.
30. Rama Prasad, Ticket No.9561.
31. A. Yadav, Ticket No. 9590
32. Ram Niwas, Ticket No.9598.
33. Himanchal Prasad, Ticket No.9488.
34. Kripa Shankar, Ticket No.9541.
35. J. Srivastava, Ticket No. 9616.

Through Senior Section Engineer, Mill Wright
through Chief Workshop Manager(Personal)
Mechanical Workshop, N.E. Railway, Gorakhpur.

Respondents

By Advocate Shri K.P. Singh

O R D E R (Oral)

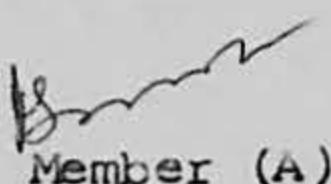
By Hon'ble Mr. Justice S.R. Singh, V.C.

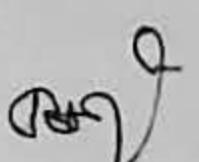
The applicants who were initially appointed as Khalasi and later promoted to the post of Basic Fitter, have instituted this O.A. for issuance of direction to the respondents to fix the correct seniority of the applicants vis-a-vis direct recruits in accordance with law under Rules 302 and 306 of the Indian Railway Establishment Manual. It is stated at bar by the counsel appearing for the parties that recruitment to the post of Fitter Grade III is made from two sources ; first by direct recruitment and secondly by promotion from the lower cadre... pg3

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of Khalasi. The grievance of the applicants is that the respondents have not come out with any seniority list of Fitter Grade III and it is on this premise that they have instituted this O.A. for issuance of direction to the respondents to fix the applicants' seniority vis-a-vis those who were directly recruited to the post of Fitter Grade III. It is alleged that no seniority list of Fitter Grade III has been prepared by the respondents till date. Counsel for the respondents does not dispute this state of fact and according ~~to~~ ^{we are} ~~to~~ of the considered view that it would meet the ends of justice if the O.A. is disposed of with direction to respondents to prepare and publish the seniority list of Fitter Grade III within a period of 3 months from the date of receipt of a representation alongwith a copy of this order. The O.A. stands disposed of in terms of above observations. No order as to costs.


Member (A)


Vice Chairman

/M.M./