

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD.

Original Application No.942 of 2004.

Allahabad this the 26th day of August 2004.

Hon'ble Mr. Justice S.R. Singh, V.C.
Hon'ble Mr. D.R. Tiwari, Member-A.

1. N.V. Anasari
S/o Nasir Ahamad,
presently working as Assistant
Station Master Allahabad.
2. S.G.A. Nakvi
S/o S.N. Hussain
presently working as Assistant
Station Master Maini District
Allahabad.
3. A.K. Mishra
S/o B.P. Mishra
presently working as Assistant
Station Master (A.S.M) Subedar Ganj,
Allahabad.
4. J.S. Mishra
S/o B.P. Mishra
presently working as A.S.M./Instructor
Subedar Ganj.
5. A.R. Pandey
S/o B.N. Pandey
presently working as Assistant Station
Master (A.S.M.) Vindhyanchal.
6. Anil Kumar Shrivastava
S/o S.P. Sinha
presently working as Assistant Station
Master (A.S.M.) Allahabad.

.....Applicants.

(By Advocate : Sri D.K. Mishra)

Versus.

1. Union of India
through the General Manager
Northern Railway,
Allahabad.
2. Railway Board, Rail Bhawan,
New Bhawan, through its Secretary.
3. The Divisional Railway Manager,
North Central Railway,
Allahabad.

.....Respondents.

(By Advocate : Sri A.K. Gaur)



O R D E R

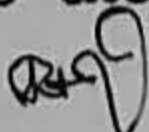
BY JUSTICE S.R. SINGH, V.C.

The applicants are aggrieved by the select list dated 1.7.2004 issued by the Divisional Railway Manager, Northern Railway, Allahabad. They have, accordingly prayed for quashing of the select list dated 1.7.2004 and clause 14 of the circular dated 9.10.2003 issued by the Railway Board, New Delhi. The applicants have also prayed for issuance of a direction to the respondents to prepare the fresh select list according to the seniority.

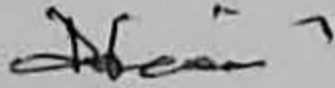
2. The cause of action and the reliefs claimed in the O.A. are common, therefore, the applicants are permitted to join together, and M.A. 3696/2004 filed for this purpose is accordingly allowed.

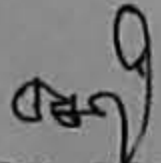
3. During the course of arguments, the Court expressed its tentative view that the O.A. ^{was} ~~is~~ bad for non-joinder of necessary parties namely those who have been selected and placed in the select list, have not been impleaded in the array of the parties. The learned counsel, however, submits that the applicants have preferred a representation dated 7.7.2004 (Annexure-4) and it would meet the ends of justice if this O.A. be disposed of with a direction to the competent authority to consider and dispose of the representation of the applicants by means of a reasoned and speaking order expeditiously if possible within a period of 2 months from the date of receipt of copy of this order. We are of the view that the respondents can have perhaps no objection if this O.A. being disposed of in terms of the directions afore-stated.

4. Accordingly, the O.A. stands disposed of with a direction to the Divisional Railway Manager, North



Central Railway, Allahabad (respondent no.2) to consider and dispose of the representation preferred by the applicant as against the impugned select list within a period of two months from the date of receipt of copy of this order. parties are directed to bear their own costs.


MEMBER(A)


VICE CHAIRMAN

GIRISH/-