

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Original Application No.1255 of 2005.

Allahabad, this the 24th day of October, 2005.

Hon'ble Mr. A. K. Bhatnagar, Member-J
Hon'ble Mr. D. R. Tiwari, Member-A

1. Smt. Ashru Rani Lahari w/o late N.N. Lahari,
R/o working as Matron in Indian Railway Cancer
Institute and Research Centre, Varanasi, U.P.
2. Smt. Geeta Chaurasia w/o Sri Ashok Kumar
R/o working as Matron in Indian Railway Cancer
Sansthan and Research Centre Varanasi, U.P.
3. Smt. Anita Stephen w/o Sri Suresh Stephen
R/o working as Matron in Indian Railway Cancer
Sansthan and Research Centre Varanasi, U.P.
4. Smt. Vina Keshav Rao Meshram w/o Sri S. K. Singh
R/o working as Matron in Indian Railway Cancer
Institute and Reserch Centre, Varanasi, U.P.
5. Smt. H. Lal w/o Sri C.K. Lal,
R/o working as Matron in Divisional Hospital,
N.E. Railway, Varanasi, U.P.
6. Smt. Sulekha Ghosh w/o Sri S.K. Ghosh
R/o working as Matron in Divisional Hospital,
N.E. Railway, Varanasi, U.P.Applicants.

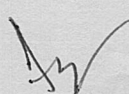
(By Advocate : Shri S. K. Mishra)

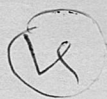
Versus

1. Union of India, through the General Manager,
N.E. Railway, Gorakhpur.
2. The Divisional Railway Manager, N.E. Railway, Varanasi.
3. The Divisional Railway Manager (P), N.E. Railway, Varanasi.
4. The Director/Co-Ordinating Officer/CRI/BSB, Indian Railway
Cancer Institute and Research Centre, Varanasi.
5. Smt. Sangeeta Rani Chaudhari w/o Sri Yougendra Kumar
Chaudhary, r/o working as Matron in Indian Railway Cancer
Institute and Research Centre Varanasi, U.P.

.....Respondents.

(By Advocate : Shri A.K. Gaur)





ORDER

By Hon'ble Mr. A.K. Bhatnagar, J.M. :-

By this OA, the applicants have prayed for the following reliefs :-

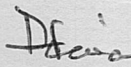
- (i) *To issue a direction in the nature of certiorari quashing the orders dated 30.9.2005 (Annexure No.A-16 with Comp. No.I) and order dated 15.7.2005 (Annexure No.A-10 with Comp. No.I) and further direct to the respondent No.3 to issue a fresh order after rectifying the second para of the order dated 15.7.2005 and sent to respondent No.5 at S. No.21 in seniority list dated 30.5.2005 on the place of Smt. Geeta Kumari Chaudhari and accordingly above seniority list may be amended.*
- (ii) *To direct the respondents to issue a fresh seniority list of Matron and rectify the seniority list of Nursing Sister and Matron dated 20.7.1997, 31.10.2003 and 15.7.2005 accordingly to para 228 of IREM VOL.I.*
- (iii) *To direct the respondents to decide the representation dated 13.10.2005 of applicants before implementation of impugned order dated 30.9.2005 and 15.7.2005.*

2. According to the applicants all are working on the post of Matron in Grade of Rs.6500-10500 in the respondents' establishment. The applicants have challenged the order dated 30.9.2005 passed by respondent No.4 whereby the respondent No.5 has been illegally appointed as Ward Incharge ignoring the claim of the applicants who were senior to respondent No.5 i.e. Sangeeta Rani Chaudhari (filed as Annexure-A-1'). The applicants have also felt aggrieved by combined seniority list of nursing cadre dated 1.4.2005 (Annexure-A-3) by which the junior to the applicant has been promoted while the claim of the applicants who were senior to respondent No.5 have been clearly ignored. At this stage, learned counsel for the applicants submitted that they have filed a joint representation dated 13.10.2005 (Annexure-A-17) against the redressal of ^{their} ~~his~~ grievances which is still pending decision and the applicants shall feel satisfied if their representation is decided by the



Competent Authority as per rules within a specified period by a reasoned and speaking order.

3. After hearing the counsel, we consider it appropriate that this OA can be disposed of at the initial stage itself without calling for counter affidavit by issuing a direction to the Competent Authority.
4. Without going into the merits of the case, we dispose of this OA by issuing a direction to the Competent Authority/ respondent No.2 i.e. Divisional Railway Manager, N.E. Railway, Varanasi to look into the matter and decide the representation so filed by the applicant on 13.10.2005 by a reasoned and speaking order within a period of two months from the date of receipt of copy of this order under communication to the applicants. No costs.


Member-A


Member-J

RKM/