

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.203/00495/2021

Jabalpur, this Tuesday, the 3rd day of august, 2021

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER



1. Amrendra Kumar S/o Rabindra Prasad, aged about 28 years, presently working as DTM-10, R/o Rly Station Shikara, Distt – Seoni (M.P.) 480997
2. Amit Kumar S/o Baldeo Raut, aged about 27 years, presently working as DTM-4, R/o Rly Qtr, Gwarighat, Distt – Jabalpur (M.P.) 482008
3. Bimlesh Kumar Ojha S/o Shree Ram Ojha, aged about 39 years, presently working as Trackman, R/o 78, Narmada Hills, Awadhpu, Post – Gwarighat, Jabalpur (M.P.) 482008
4. Ranjit Kumar S/o Ramdahin Prasad, aged about 42 years, presently working as DTM-06, R/o Railway Colony, Bhatapara, Distt – Baloda Bazar Bhatapara (C.G.) 493118
5. Suresh Kumar S/o Vindeshwar Thakur, aged about 38 years, presently working as DTM-04, R/o Near Rly Station, Gwaridhat, Distt – Jabalpur (M.P.) 482008
6. Rajesh Kumar S/o Brijnandan Prasad, aged about 38 years, presently working as DTM-09, R/o Rly Station Shikara, Distt – Seoni (M.P.) 480997
7. Deo Kumar Prasad S/o Kisundeo Mahto, aged about 30 years, presently working as DTM-12, R/o Rly Station Ghansor, Distt – Seoni (M.P.) 480997
8. Omprakash Kumar S/o Jaglal Prasad, aged about 30 years, presently working as DTM-11, R/o Rly Qtr, Binaiki, Distt – Seoni (M.P.) 482002
9. Devendar Kumar Dahte S/o Ram Prasad Dahte, aged about 36 years, presently working as Helper S&T, R/o in

front of Shikara Railway Station, Tahsil – Ghansor, Distt – Seoni (M.P.) 480997

10. Sunil Kumar S/o Savit Mahto, aged about 28 years, Presently working as DTM-17, R/o Rly Station Jeonara (PH), Distt – Mandla (M.P.) 481776

11. Sanjeev Kumar S/o Rambabu Prasad, aged about 29 years, presently working as SSE/P.Way/Balaghat, R/o Rly Qtr Birsolkati, Distt – Gondia (M.H.) 441614

12. Dinesh Chand Meena S/o Girraj Prasad Meena, aged about 30 years, presently working as SSE/P.Way/Balaghat, R/o Rly Colony Birsola Kati, Distt – Gondia (M.H.) 441614

13. Raj Kumar S/o Ganga Mandal, aged about 29 years, presently working as SSE/P.Way/Balaghat, R/o Near Rly Station Gondia, Distt – Gondia (M.H.) 441601

14. Chhotu Kumar Gupta S/o Ramkeshwar Sahu, aged about 28 years, presently working as SSE/P.Way/Balaghat, R/o Near Gondia Station, Distt – Gondia (M.H.) 441601

15. Ashok Kumar S/o Late Ramanand Mahto, aged about 34 years, presently working as SSE/P.Way/Balaghat, R/o Near Gondia Station, Distt – Gondia (M.H.) 441601

16. Hartap S/o Rajyapal Pradhan, aged about 32 years, presently working as DTM-04, PO-Khara (Balaghat) Distt – Balaghat (M.P.) 481226

17. Kunal Haridas Dongre S/o Haridas Bhajandas Dongre, aged about 38 years, presently working as DTM-02, R/o T.B. Toli, Lohiya Ward, Station – Hirdamali, Distt – Gondia (M.H.) 441614

18. Shirish Balakdas Kanekar S/o Balakdas Sitaram Kanekar, aged about 30 years, presently working as DTM-26, R/o Qtr No. E-35/1, Railway Colony, Near Railway Station, Bhandara Road, Distt – Bhandara (M.H.) 441905

19. Dharmu Singh S/o Lakhan Lal, aged about 35 years, presently working as SSE/P.Way/Balaghat, R/o Near Gondia Station, Distt – Gondia (M.H.) 441601





20. Gagan Kumar S/o Ganesh Prasad Yadav, aged about 33 years, presently working as DTM-19, R/o Rly Qtr No. 210, Naipur, Distt – Mandla (M.P.) 481776
21. Abhijeet Kumar Shrivastava S/o Shrikrishna Lal, aged about 29 years, presently working as SSE/SIG/E/Gondia, R/o Qtr No. E-106/5+6, South Colony, Gondia, Distt – Gondia (M.H.) 441601
22. Jitendra Kumar S/o Moti Prasad, aged about 35 years, presently working as SSE/SIG/E/Gondia(West), R/o Qtr Nol. T/5-1/2, Post – Goberwahi, Distt – Bhandara (M.H.) 441907
23. Raja Ram S/o Dampati, aged about 44 years, presently working as DTM-17, R/o Mulmaroda, Distt – Chandrapur (M.H.) 491224
24. Shiv Kumar Kushwaha S/o Pershuram Kushwaha, aged about 32 years, presently working as DTM-18, R/o Station – Kelzar, Distt – Chandrapur (M.H.) 441224
25. Arvind Kumar Singh S/o Janardan Singh, aged about 26 years, presently working as SS/MUP/Nagpur, R/o Station Para, Rajnandgaon, Distt – Rajnandgaon (C.G.) 491441
26. Pravin Kumar S/O Munmun Singh, aged about 27 years, presently working as Jr. Porter-IV/SS/ Rasmara, R/O Railway Colony Rasmara, Distt-Durg(C.G) 490001
27. Vijay Prakash S/o Jeet Lal, aged about 29 years, presently working as Jr. Porter, R/O Stationpara Near Boodhimata Mandir Rajnandgoan, Distt-Rajnandgoan (C.G) 491441
28. Kailash Kumar S/O Rameshwar Lal, aged about 29 years, presently working as Jr. Porter-IV/SS/Rasmara, R/O Railway Colony, Rasmara, Distt- Durg (C.G) 490001
29. Kumar Gaurav S/o Moti Saw, aged about 38 years, presently working as Trackman, O/o Track Machine Office, SECR, Kashi Chowk, Nagpur (M.H.) 440014



30. Anil Kumar Sen S/o Shiv Kumar Sen, aged about 37 years, presently working as Trackman, O/o Track Machine Office, SECR, Kashi Chowk, Nagpur (M.H.) 440014
31. Ganga Dhar Chauhan S/o Labho Ram Chauhan, aged about 37 years, presently working as Trackman, O/o Track Machine Office, SECR, Kashi Chowk, Nagpur (M.H.) 440014
32. Santosh Kumar S/o Birja Chaudhary, aged about 28 years, presently working as Trackman, O/o Track Machine Office, SECR, Kashi Chowk, Nagpur (M.H.) 440014
33. Pappu Lal Mali S/o Vijay Lal Mali, aged about 35 years, presently working as SSE/P.Way/Khirkiya/Bhopal Division (WCR) R/o Railway Colony, RBI/SC Chhanera, Distt – Khandwa (M.P.) 450116
34. Rangit Kumar S/o Munni Lal Prasad Singh, aged about 43 years, presently working as DTM-04, R/o Near Rly Station, Gwardhat, Distt – Jabalpur (M.P.) 482008

-Applicants

(By Advocate – **Shri A.V.Sridhar**)

V e r s u s

1. Union of India – Through- General Manager, South East Central Railway, New GM Building, Bilaspur, Chhattisgarh – 495004
2. Principal Chief Personnel Officer, South East Central Railway, Bilaspur, Chhattisgarh 492005
3. Divisional Personnel Officer, South East Central Railway, Nagpur Division, Kingsway, Nagpur (M.H.) 440001

- Respondents

(By Advocate – **Shri A.S.Raizada**)

O R D E R(ORAL)**By Ramesh Singh Thakur, JM:-**

Heard.

2. This Original Application has been filed on behalf of the applicants against the inaction on the part of the respondent department in correcting the seniority position of the applicants at par with the other candidates who were part of the third panel published pursuance to employment notification No. SECR/03/2012.
3. The facts from the pleadings are that the respondent authorities had published employment notification no. SECR/03/2012, calling for application for appointment to various posts through direct recruitment. The applicant applied for the same and the names of the applicants could not find place in the first or the second list of selected candidates. Considering the merit position of the applicants the names of the applicants found place in the third part panel as per their merit and option for division/posts. The allotment of divisions to the applicants was done on 13.10.2017 and similarly one A.Raju and 14 other staff were also included in the third panel and had been allotted Raipur Division. The seniority of all the candidates of the third part



panel was fixed from the date of joining however the same had brought much dissatisfaction to the applicants and others. The said A. Raju and South East Central Railway other Backward Classes Employees Association made representation for correction of his seniority position and it was submitted before the authorities that his name should be reflected below the last candidate employed against employment notice No. SECR/03/2012. Considering the request of A. Raju the respondent No.3 vide order dated 09.07.2020 passed order interpolating the name of A. Raju and 14 others who were selected in the third part panel against the said notice. A copy of the order dated 09.07.2020 is filed as Annexure A-2. The applicants herein are similarly situated persons who were part of the third part panel published in pursuance to EN No. SECR/03/2012 and thus the applicants approached the South East Central Railway, Track maintainer Association for submitting their cause before the authorities for correction of seniority list.

4. At this stage learned counsel for the applicants submit that the applicants will be satisfied if the applicants may be permitted to file detail representation to the competent

authority and the competent authority of the respondents may be directed to decide the same in a time bound manner.

5. Learned counsel for the respondents submits that he has no objection if the Original Application is disposed of in above manner.



6. We have considered the matter and we are of the view that the natural justice will be met if the applicants are directed to make detail representation to the competent authority of the respondents and the competent authority is directed to decide the same in a time bound manner.

7. Resultantly, the applicants are directed to make detail representation within a period of two week from today to the competent authority of the respondents and the competent authority of the respondents is directed to decide the said representations within a period of six weeks after receiving the detail representation.

8. Needless to say that the respondents shall pass the reasoned and speaking order. Respondents shall also deal with all the contentions raised in the detail representation of the applicants.

9. With these observations, this Original Application is disposed of at admission stage itself.

10. However, it is made clear that this Tribunal has not commented anything on the merits of the matter.

(Naini Jayaseelan)
Administrative Member
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(Ramesh Singh Thakur)
Judicial Member

