

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.203/00497/2021

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. Sunny Rajak S/o Devi Prasad, aged about 35 years, presently working as SSE/P.Way/SDG/BSP R/o Rly Q.No. 813/01, Construction Colony, Bilaspur (C.G.) 495004
2. Chandan Kumar S/o Ravindra Prasad, aged about 28 years, presently working as SSE/P.Way/PND/DTM-25 R/o Village – Rarwan, Post – Tarwan, Distt – Gaya (Bihar) 805128
3. Yaswant Kumar S/o Jeevachh Manjhi, aged about 31 years, presently working as SSE/P.Way/PND/SBRA-20K, R/o 55/2, Narmada Railway Colony, Pendra Road, Distt – Pendra Gaurella Marwahi (C.G.) 495117
4. Yajuvendra Singh S/o Shiv Vansh Lal Singh, aged about 32 years, presently working as SSE/P.Way/PND/DTM-26 R/o Vill – Dubrajpur Cod-Gate, Naini Allahabad, Post – Naini, Distt – Allahabad (U.P.) 211008
5. Ranveen Kumar Raj S/o Shaligram P.D. Yadav, aged about 27 years, presently working as SSE/P.Way/KGS/DTM-14K, R/o Mandirtola Kadhaiya, Post – Kadhaiya Kachra, P.S. – Sourbazar, Distt – Saharsa (Bihar) 852221
6. Suresh Kumar S/o Vikram Singh, aged about 42 years, presently working as SSE/P.Way/SDG/BSP, R/o Vill-Umarmara, Post – Amali, Thana- Kota, Distt – Bilaspur (C.G.) 495113
7. Deewakar Kumar S/o Vishram Sharan, aged about 29 years, presently working as SSE/P.Way/KGS/DTM-07 R/o Mirgulabi Ki Bagh, Sadar Gali, Patna City, P.O-Jhauganj, Distt – Patna (Bihar) 800008



8. Vikram Kumar S/o Awadhesh Sah, aged about 30 years, presently working as SSE/P.Way/JDI/Baradwar/DTM-18 R/o Azad Nagar, P.O.-Siwandih, P.S. – Marafari, Distt – Bokaro (Jharkhand) 827010
9. Pawan Kumar S/o Ranveer Singh, aged about 32 years, presently working as SSE/P.Way/BUA/Sakti/DTM-20 R/o Village & Post – Khudana Nanauta, Distt – Saharanpur (U.P.) 247452
10. Ravindra Dongare S/o Late Shri Mouji Ram Dongare, aged about 32 years, presently working as SSE/SIG/RIG, R/o Qtr No. 13/1, Railway Colony, Bhupdeopur, Distt – Raigarh (C.G.) 496661
11. Anil Kumar S/o Rajendra Prasad Yadav, aged about 28 years, presently working as SSE/P.Way/Bijuri/Kotma/DTM-06AB, R/o Padampur, Post – Khadhipur, P.S. – Bihara, Distt – Saharsa (Bihar) 852124
12. Manish Kumar S/o Late Bhagirath Singh, aged about 31 years, presently working as SSE / P. Way / Bijuri / Dhurwasin /DTM-03 R/o 14/A, Railway Colony, Dhurwasin, Distt – Anuppur (M.P.) 484224
13. Umesh Kumar Rohini S/o Suresh Rohini, aged about 34 years, presently working as SSE/P.Way/SDG/BSP R/o Village – Jhagrakhand, Post – Newsa, Pendra Road, Distt- Pendra Gaurella Marwahi (C.G.) 495117
14. Chandra Bhushan S/o Ram Balak Prasad, aged about 42 years, presently working as SSE/P.Way/RIG/DTM-13 R/o Village – Khudai Tola Khagri, Post – Hemara, Thana – Khizarsaray, Distt – Gaya (Bihar) 824233
15. Sushil Kumar Ratre S/o Ramlal Ratre, aged about 32 years, presently working as SSE/P.Way/CPH/DTM-30/Akaltara R/o Village – Khond, P.O.-Katnai, Distt – Janjgir Champa (C.G.) 495552
16. Bhupesh Kumar Rathore S/o Fatte Lal Rathore, aged about 40 years, presently working as SSE/P.Way/SDG/BSP R/o Q.No. SE/368, CSEB Colony, Korba Easy, Distt – Korba (C.G.) 495677

17. Sadanand Prasad S/o Ram Pratap Sahu, aged about 41 years, presently working as SSE/P.Way/BRJN/DTM-06, R/o Village & Post – Babhanbay, Distt – Hazaribagh (Jharkhand) 825301

18. Sanjay Kumar Yadav S/o Kanhaiya Lal Yadav, aged about 36 years, presently working as SSE/P.Way/SDG/BSP R/o Masjid Road, Mohanpara, Akaltara, Distt – Janjgir Champa (C.G.) 495552

19. Rahul Kumar S/o Arun Prasad, aged about 28 years, presently working as SSE/P.Way/PND R/o Village- Ajaypur, Post – Akair, Distt – Nalanda (Bihar) 801305

20. Aarti Yadav D/o Girish Lal Yadav, aged about 33 years, presently working as SSE/P.Way/CPH/DTM-25 R/o NH-06, Near Jaitkham, Krishak Nagar, Jora, Raipur, Distt – Raipur (C.G.) 492012

21. Ramesh Kumar S/o Sampat Ram, aged about 38 years, presently working as SSE/P.Way/RIG/DTM-08, R/o Q.No. 41/1, Banki Mongra, Post – Banki Mongra, Distt – Korba (C.G.) 495447

-Applicants

(By Advocate – **Shri A.V.Shridhar**)

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, Bilaspur Division, Bilaspur (CG) 495004

- 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
rn

(Ramesh Singh Thakur)
Judicial Member

