

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

**OA/020/413/2015, OA/20/422/2015 & MA/20/38/2018,
MA/20/503/2018 in OA/20/1040/2017&OA/20/1040/2017**

HYDERABAD, this the 17th day of March, 2021



Hon'ble Mr. Ashish Kalia, Judl. Member

Hon'ble Mr. B.V. Sudhakar, Admn. Member

1. S. Guraiah, S/o. S. Ramanjaneyulu,
Aged about 27 years,
Occ: Goods Guard,
Working at Dhone Railway Station.
2. R. Mohan Rao,
S/o. R. Subbaiah,
Aged about 49 years,
Occ: Pro. Guard,
Working at Renigunta Railway Station.
3. Durgappa, S/o. Mahadevappa,
Aged about 34 years,
Occ: Goods Guard,
Working at Raichur Railway Station.
4. SK. Mehaboob, S/o. S. Kasim Sahib,
Aged about 51 years,
Occ: Goods Guard,
Working at Renigunta Railway Station.
5. N. Seshadri, S/o. N. Kondaiah,
Aged about 32 years,
Occ: Pro. Guard,
Working at Gooty Railway Station.
6. Challa Durga Rao, S/o. Challa Laxmi Narayana,
Aged about 38 years,
Occ: Goods Guard,
Working at Renigunta Railway Station.
7. K. Venkateswarlu, S/o. K. Panduranga Rao,
Aged about 44 years,
Occ: Goods Guard,
Working at Raichur Railway Station.



8. S. Lalu Sahib, S/o. Khaja Moinuddin,
Aged about 39 years,
Occ: Pro. Guard,
Working at Guntakal Railway Station.
9. S.A. Khader Jilani, S/o. S. Kasim Sahib,
Aged about 51 years,
Occ: Goods Guard,
Working at Renigunta Railway Station.
10. G. Srinivasulu, S/o. Rangamuni,
Aged about 33 years,
Occ: Goods Guard,
Working at Renigunta Railway Station.
11. N. Ramesh Babu, S/o. A. Linganna,
Aged about 31 years,
Occ: Goods Guard,
Working at Dhone Railway Station.
12. B. Karunakar, S/o. B. Radhaiah,
Aged about 27 years,
Occ: Goods Guard,
Working at Renigunta Railway Station.
13. A. Naga Venkat Kumar, S/o. A. Krishnaiah,
Aged about 24 years,
Occ: Goods Guard,
Working at Renignta Railway Station.
14. K. Paramesh, S/o. K. Hanumanthu,
Aged about 23 years,
Occ: Goods Guard,
Working at Nandalur Railway Station.
15. Y. Nageswara Rao, S/o. T. Subbarayudu,
Aged about 36 years,
Occ: Pro. Guard,
Working at Renigunta Railway Station.
16. B. Aswathappa, S/o. B. Rangappa,
Aged about 40 years,
Occ: Pro. Guard,
Working at Nandalur Railway Station.
17. B. Pratap, S/o. B. Shanthaiah,
Aged about 29 years,
Occ: Goods Guard,
Working at Nandalur Railway Station.



18. B. Murali Krishna, S/o.B. Venkataiah,
Aged about 35 years,
Occ: Goods Guard,
Working at Dhone Railway Station.
19. G. Goolanna, S/o. G. Bhimappa,
Aged about 52 years,
Occ: Pro. Guard,
Working at Gooty Railway Station.
20. C. Kasim, S/o. Kasim Saheb,
Aged about 28 years,
Occ: Goods Guard,
Working at Nandalur Railway Station.
21. S. Srinivasulu, S/o. S. S. Hanumanthu,
Aged about 41 years,
Occ: Goods Guard,
Working at Nandalur Railway Station.
22. N. Shiva Shankar, S/o. N. Anand,
Aged about 33 years,
Occ: Pro. Guard,
Working at Nandalur Railway Station.
23. T. Chandra Sekhar, S/o. T. Govindappa,
Aged about 59 years,
Occ: Pro. Guard,
Working at Nandalur Railway Station.
24. B. Nagamunindra, S/o. B. Chendrayadu,
Aged about 36 years,
Occ: Goods Guard,
Working at Gooty Railway Station.
25. RayadurgamNagaraju, S/o. R. Ramudu,
Aged about 38 years,
Occ: Pro. Guard, Working at Nandalur.
26. D. Goverdhan, S/o. D. Peddanna,
Aged about 26 years,
Occ: Pro. Guard,
Working at Gooty Railway Station.
27. S. Raja Ratnam, S/o. S. Raju,
Aged about 30 years,
Occ: Goods Guard,
Working at Dhone Railway Station.

...Applicants in OA/413/2015

Suresh, S/o. Nagendra,
Aged about 39 years,
Occ: Goods Guard,
Working at Raichur Railway Station,
South Central Railway,
Guntakal Division, Anantapur District, A.P.

...Applicant in OA/422/2015



1. R. Mohan Rao, S/o. R. Subbaiah,
Aged about 51 years,
Working as Goods Guard,
Guntakal Railway Station,
Ananthapur Dist.
2. N. Seshadri, S/o. N. Kondiah,
Aged about 34 years,
Working as Goods Guard,
Gooty Railway Station,
Ananthapur Dist.
3. S. Lalu Sahib, S/o. Khaja Moinuddin,
Aged about 41 years,
Working as Goods Guard,
Guntakal Railway Station,
Ananthapur Dist.
4. Y. NageswaraRao, S/o. T. Subbarayadu,
Aged about 38 years,
Working as Goods Guard,
Gooty Railway Station,
Ananthapur Dist.
5. B. Aswathappa, S/o. B. Rangappa,
Aged about 42 years,
Working as Goods Guard,
Gooty Railway Station,
Ananthapur Dist.,
6. G. Goolanna, S/o. G. Bhimappa,
Aged about 54 years,
Working as Goods Guard,
Gooty Railway Station,
Ananthapur Dist.
7. N. Shiva Shankar, S/o. N. Anand,
Aged about 35 years,
Working as Goods Guard,
Gooty Railway Station, Ananthapur Dist.

8. Rayadurgam Nagaraju, S/o. R. Ramudu,
Aged about 40 years,
Working as Goods Guard,
Guntakal Railway Station,
Ananthapur Dist.
9. D. Goverdhan, S/o. D. Peddanna,
Aged about 28 years,
Working as Goods Guard,
Gooty Railway Station,
Ananthapur Dist.



...Applicants in OA/1040/2017

(By Advocate :Sri M.C. Jacob)

(All OAs)

Vs.

1. The Union of India rep. by
General Manager,
South Central Railway,
Rail Nilayam, Secunderabad.
2. The Divisional Railway Manager,
South Central Railway,
Guntakal Division, Guntakal,
Ananthapur District, A.P.
3. The Senior Divisional Operating Manager,
South Central Railway, Guntakal Division,
Guntakal, Ananthapur District, A.P.
4. The Senior Divisional Personal Officer,
South Central Railway, Guntakal Division,
Guntakal, Ananthapur District, A.P.

....Respondents

(By Advocate: Sri Bheem Singh for Sri V.V.N. Narasimham,
SC for Rlys.)

(All OAs)

ORAL ORDER
(As per Hon'ble Mr. Ashish Kalia, Judl. Member)

The OA/20/413/2015 & OA/20/422/2015 are filed seeking the following relief:



“to call for the records pertaining to the Memorandum No.SER/P-GTL/2010(A)/TR-15/Gds.GD/Vol.V, dated 19.03.2015 issued by the 4th respondent cancelling the promotion of the applicants to the Post of Goods Guard against 60% Departmental Quota and deleting their names from the panel dated 23.06.2014 and declare the same as illegal, unjust, arbitrary and in violation of principles of natural justice and consequently set aside the said Memorandum dated 19.03.2015 and pass such other order orders deemed fit and proper in the interest of justice.”

OA/1040/2014 is filed seeking the following relief:

“to direct the respondents to extend the pay and pay scale applicable to the post of Goods Guard in PB-2 with Grade Pay Rs.2800/- with allowances as per rules to all the applicants from 2014 onwards on par with the empanelled candidates by Memorandum dt. 23.06.2014 with arrears declaring that the action of the authorities in denying the pay and allowances to the applicants for the post of Goods Guard as illegal, unjust, arbitrary and discriminatory and pass such other order or orders deemed fit and proper in the interest of justice.”

2. Learned counsel for the applicants submits that some of the applicants are working in the promoted posts by way of interim order passed by this Tribunal. There were some malpractices alleged by some

3rd party and vigilance enquiry was conducted and now in the 2nd phase of training, 14+1 candidates were cleared. Some more are waiting.

3. We have gone through the instructions filed by the respondents in this matter vide letter dated 09.06.2020 which reads as under:



Now, SDGM/SCR/SC vide letter No. G.265/C/2014/06/0166/GP/G/GTL dated 28.01.2020 advised that, No vigilance case is pending against selection to the post of Goods Guard 60% quota vide Memorandum No. SCR/P-GTL/210(A)/ TR-15 /Gds.Gd/Vol-V dated 23.06.2014 (Copy of the letter enclosed for reference).

In view of the above, it is requested to kindly arrange to close the subject cases before the Hon'ble CAT/HYB for initiating selections.

4. Heard Sri M.C. Jacob, learned counsel for the applicant and Sri Bheem Sing representing Sri VVN. Narasimham, learned Standing Counsel for the respondents.

5. There is no vigilance case pending. Thus, the interim order already passed is continued and the applicants are considered in the said empanelled list. They have been given postings in accordance with the law.

6. With the above observations, OAs Nos. 413/2015, 422/2015, 1040/2017 are disposed of MA. Nos. 38/2018, 503/2018 shall stand disposed of. No order as to costs.

(B.V. SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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