

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/209/2015

HYDERABAD, this the 15th day of March, 2021

**Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member**



1. Ch. Khasim Vali, S/o.Ch. Hussain Appa,
Aged about 34 years, SSC(F), LT.No.658.
2. D. Ignesh, S/o. D. Doraiswamy,
Aged about 35 years, SSC (P) L.T.No.670.
3. N. Ramakrishna, S/o. K. Chennappa,
Aged about 34 years, SSC (P) L.T. No.688.
4. G. Lakshminarayana, S/o. G. Chennappa,
Aged about 33 years, SSC(P) L.T.No.583.
5. V. Ramachandra, S/o. Arumugam,
Aged about 36 years, L.T.No.701.

...Applicants

(By Advocates : Sri Durga Prasad
K N. Subba Rayudu)

Vs.

1. Union of India rep. by
The Secretary to Government,
Railway Board,
Ministry of Railways,
New Delhi – 110 001.
2. The General Manager,
South Central Railways,
Rail Nilayam, Secunderabad.
3. The Chief Commercial Manager,
South Central Railways,
Rail Nilayam, Secunderabad.
4. The Senior Divisional Railway Manager,
Guntakal Division,
South Central Railway, Guntakal.
5. The Senior Divisional Personnel Officer,
Guntakal Division, South Central Railway,
Guntakal.

....Respondents

(By Advocate: M. Venkateswarlu, SC for Rlys.)

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



The OA is filed seeking the following relief:

“to declare the action of the respondents in not absorbing the applicants in Group ‘D’ Posts of Guntakal Division or in any other division of SC Railway in terms of orders passed by the Honourable Supreme Court in SLP.No.4259 of 1991 and as per the directions of the Honourable High Court in WP.No.9015 of 2005, dated 27.04.2005 as arbitrary, irregular and against Articles 14 and 16 of the Constitution of India and consequently direct the respondents to absorb the applicants in any suitable post and pass such other order or orders as this Hon’ble Tribunal may deem fit and proper under the circumstances of the case.”

2. This issue has already been decided by this Tribunal in O.A.

No.93/2015, which was filed seeking the following relief:

“(i) to call for the relevant and connected records relating to the Proceedings No.G/P.564/II COMM/Vol.II/PRW, dated 6.12.2000 of the respondents and quash or set aside the same holding it as arbitrary, illegal, unjust, violative of Articles 14 & 16 of the Constitution and also lacking in bonafides:

ii) Consequently, direct the respondents to consider the claims of the applicants herein for absorption as employees of the Indian Railways in accordance with the scheme as approved by the Hon’ble Supreme Court in SLP No.4259/91 and pass such other and further order or orders as are deemed fit and proper in the circumstances of the case.”

3. Heard Sri K. Altaf Hussain representing the learned counsel for the applicants and Sri M. Venkateswarlu, learned counsel for the respondents.

4. It is observed that the same applicants have again approached this Tribunal seeking the same relief sought in O.A No.93/2015, which has already been decided finally by this Tribunal. Hence, the O.A. is barred by resjudicata. Accordingly, the O.A. is dismissed. No order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER
/pv/

(ASHISH KALIA)
JUDICIAL MEMBER