

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 11th day of February 2002.

QUORUM : HON. MR. JUSTICE R. R. K. TRIVEDI, V. C.  
HON. MR. S. DAYAL, A.M.

O. A. No. 472 of 1993.

1. A.J. Balfour a/a 34 years s/o Sri Late M.G. Balfour r/o 3, Muirabad, Allahabad.
2. Vijai Kumar Srivastava a/a 32 years s/o Late M. Prasad r/o 651-A, Loco Colony, Allahabad.
3. S.K. Mishra a/a 31 years s/o Late A.C. Mishra r/o 417, Badshahi Mandi, Allahabad. .... Applicants.

Counsel for applicants : Sri A.K. Sinha.

Versus

1. Ministry of Railways Union of India through the Chairman, Railway Board, Rail Bhavan, New Delhi.
2. The General Manager, Northern Railway, Baroda House, New Delhi.
3. The Divisional Railway Manager, Northern Railway, Allahabad.
4. Sri Asif Usmani, Head Clerk.
5. Sri Ashok Kumar, Head Clerk.
6. Sri Arun Kumar Srivastava, Office Supdt. Gr.-I.
7. Sri A.K. Chandra, Office Supdt. Gr.-I.
8. Sri Bachhu Lal Patel, Senior Clerk.
9. Sri D.K. Gupta, Clerk.
10. Sri Dauji Ram, Clerk.
11. Sri G.S. Pandey, Head Clerk.
12. Sri Kapil Kumar, Senior Clerk.
13. Sri Lal Singh, Clerk.
14. Sri Mannual Topo, Head Clerk.
15. Sri Mohd. Isa, Senior Clerk.
16. Sri P.K. Singh, Senior Clerk.
17. Sri Parshu Ram, Head Clerk.
18. Sri Gyan Chand, Clerk.
19. Sri Ram Karan, Head Clerk.
20. Sri S.G. Murtuza, Office Supdt., Gr.-II.

21. Sri Shitla Prasad, Senior Clerk.
22. Sri Udit Narain, Senior Clerk.
23. Sri Vinod Kumar, Senior Clerk.
24. Sri R.K. Bajpai, Head Clerk.
25. Sri Mehboob Alam Ansari, Head Clerk.
26. Sri Ram Bilas, Clerk.
27. Sri Mohd. Arif, Clerk.
28. Sri Panna Lal, Clerk.
29. Sri Alok Kumar, Clerk.
30. Sri Prem Narain, Clerk.

c/o Sr. Div. Operating Manager, N.R., D.R.M's office,  
Allahabad..... .... Respondents.

Counsels for respondents : Sri A.K. Gaur.  
Sri T.S. Pandey.

O R D E R (ORAL)

BY HON. MR. JUSTICE R.R.K. TRIVEDI, V.C.

The grievance of the applicants in this case is that the persons who are medically de-categorised are being absorbed in Transportation Branch in higher grade and thus, the seniority of the persons in Transportation Branch is affected and their chances for promotion are diminished. Counsel for the applicant has sought our attention to order of Railway Board Circular No.831E/78-IV(Eiv) dated 12.4.1971 and 2.12.1971. From the perusal of the aforesaid circulars, it is clear that the direction has been given to absorb medically decategorised staff of running section on pro-rata basis in all departments and thus, the injustice complained before us has been tried to be redressed. If the circulars of the Railway Board are not being followed by the local administration of a particular Division, it will be open to aggrieved persons to challenge any such absorption made from decategorisation of running staff. We dispose of this O.A. with the direction that the Divisional Railway Manager,

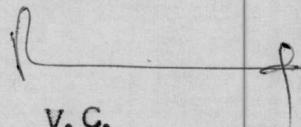


Northern Railway, Allahabad, Respondent No.3 to abide by the circulars dated 12.4.1971 and 2.12.1971 in letter and spirit and see that the injustice is not caused to anyone. The O.A. is disposed of with the above directions.

There shall be no order as to costs.



A.M.



V.C.

Asthana/