

OPEN COURT.

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH ALLAHABAD.

Original Application No.1281 of 1995.  
alongwith  
Original Application No.129 of 1995.

Allahabad this the 22nd day of July 2003.

Hon'ble Mr. Justice R.R.K Trivedi, V.C.  
Hon'ble Mr.D.R. Tewari, A.M.

1. ~~Bhawar~~ Bhawar Singh son of Ram Swaroop  
Regional Secretary, Locoshed,  
Mechanical Staff Association, Locoshed,  
Bareilly City.
2. Rajiv Kumar  
Son of Putto Lal,  
Locoshed Bareilly City.
3. Rajendra Kumar son of Raj Bahadur,  
Locoshed Kashgunj, Etah.....Applicant in C.A.  
O.A. No.1281/95.

1. Radhey Shyam  
S/o Sri Gedan Lal  
Fitter Mistri Grade I.
2. A.T. Banerjee  
S/o Sri A.C. Banerjee.  
Fetter Mistri Grade-I.
3. Kishan Lal  
S/o Sri Khubi Lal  
Fitter Mistri Grade I.
4. Prithavi Pal Singh  
S/o Sri Gurumukh Singh  
Fitter Mistri Grade-I.
5. Ram Asrey Lal  
S/o Sri Natthoo Lal  
Fitter Mistri.
6. Aziz Mian  
Fitter Mistri Grade I.
7. Suraj Prasad Verma  
Fitter Grade I.

.....Applicants in

O.A. No.129 of 1995.

(By Advocate : Sri G.C.Gehrana in both O.As.)



Versus.

1. Union of India  
through the Chairman  
Railway Board  
Rail Bhawan, New Delhi.
2. General Manager  
North Eastern Railway  
Gorakhpur.
3. Chief Personnel Officer,  
North Eastern Railway  
Gorakhpur.
4. Divisional Rail Manager  
North Eastern Railway  
Izzatnagar, Bareilly.
5. Divisional Personnel Officer  
North Eastern Railway,  
Izzatnagar, Bareilly.
6. Senior Divisional Mechanical Engineer,  
Loco North Eastern Railway,  
Izzatnagar, Bareilly.

.....Respondents in both

(By Advocate : Sri A Sthalekar) <sup>O.As.</sup>

O R D E R

(Hon'ble Mr. Justice R.R.K. Trivedi, V.C.)

The question of law and <sup>fact</sup> ~~relief sought~~ <sup>in both (work)</sup> are similar, therefore, they may be decided by a common order against which counsel for the parties have no objection.

- <sup>applicants or</sup>
2. The <sup>erst-</sup>while employees of the Loco Shed which was abolished and they were rendered surplus by order dated 23.01.1995 (Annexure A-I). Surplus employees were adjusted against supernumerary posts which were created for such employees and they were adjusted against similar post and pay scale etc. However, it was provided that the lien of these employees shall be continued in their parent department for the purposes of promotion. The grievance of the applicants <sup>is</sup> ~~are~~ that they are illegally being continued on special

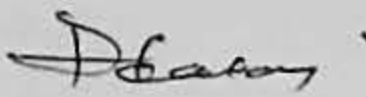



supernumerary post, They have further prayed for direction to the respondents to deploy them in other Department<sup>al</sup>.

3. Respondents have filed counter reply. In para 7 of the counter reply, it has been provided that since 1993, all the surplus employees have been absorbed in accordance with Railway Board directions contained in letter dated 21.04.1991 and they <sup>are not</sup> ~~have been~~ continuing in the supernumerary post.

4. In view of the aforesaid clear averment, in our opinion during the pendency of the O.A. These applicants have got relief and no order is required. The O.As are disposed of accordingly.

No order as to costs.

  
Member-A.

  
Vice-Chairman.

Manish/-