

RA/M.A/O.A./T.A./ 517 198⁹⁰₉₀

p H Litzke Adv. for the
Petitioner (s).

Versus

Union of India & A Respondent (s).

SR. NO.	DATE.	ORDERS,
		<p>Promotion (copy served)</p>

Shri Haji Umar & Others
All are Fireman G/L
C/o. Haji Umar (Fireman)
Hapa Railway Colony,
Block M/38A,
Hapa at Post Dhuvan,
Dist.: Jamnagar.

: Applicants

Versus

1. Union of India
Through:
The General Manager(WR)
Churchgate, Bombay.
2. Divisional Railway Manager(WR)
Kothi Compoind,
Rajkot.
3. Shri Usman U.
Diesal Assistant
Notice to be served
through: D.R.M.(W.R.)
Kothi Compoind,
Rajkot.
4. Abdul Jiwa,
Diesal Assistant,
Notice to be served
through: D.R.M.(W.R.)
Kothi Compoind,
Rajkot.

: Respondents

Coram : Hon'ble Mr. M.M.Singh
Hon'ble Mr. R.C.Bhatt

: Administrative Member
: Judicial Member

O R D E R

Date: 6/2/1991

Per: Hon'ble Mr. M.M.Singh

: Administrative Member


Heard Mr.P.H.Pathak and Mr.B.R.Kyada, learned counsel
for the applicants and the respondents.


12 applicants claiming to be Fireman-I, have filed
this application with the prayers that the respondents may
be directed to give them the deemed date of promotion in
accordance with their seniority to the post of Diesel
Assistant/Shunter-cum-Driver respectively and a further
prayer that the respondents should be directed to follow
the criteria of seniority for the promotion to the post of
Diesel Assistant/Shunter-cum-Driver and grant the applicants
the deemed date of promotion from the date on which their
juniors are given the promotion and/or send them for

training for Diesel Assistant or Shunter-cum-Driver. Thus the prayer basically is for granting the applicants the deemed date of promotion.

There is also an application for permission to join the applicants in one petition. It is submitted by Mr.Pathak that the list at Annexure-A & A-I has been compiled by him. The information is compiled by him on the basis of his information.

When several applicants contest their supersession by filing a joint petition, a common characteristic^H should be that all of them figure consecutively in a seniority list and have been superseded^N in a bunch by somebody junior to all of them. Admittedly, that is nowhere brought out and the information at Annexure-A and A-I has been compiled by the learned counsel Mr.Pathak and is not ~~from~~ true copies of official documents. Because of absence of these features, it will not be permissible to permit this joint petition by 12 applicants. That^{ap}art, the claim to seniority is also not supported by any official record. In view of these weaknesses^{es H} in the application, we find no case in the application for any further consideration. We hereby reject the application without any order as to costs.


(R.C.Bhatt)
Judicial Member


(M.M.Singh)
Administrative Member

a.a.b.