

# CENTRAL ADMINISTRATIVE TRIBUNAL

## AHMEDABAD BENCH

O.A. NO.

299 of 1991

~~TA NO.~~  
~~XXXXXXXXXX~~DATE OF DECISION 20.09.1994.

Shri Harmanbhai Bhikhabhai Gohil & Petitioner  
Anr.

Shri M.A.Kadri Advocate for the Petitioner (s)

Versus

Union of India and ors. Respondent

Shri N.S.Shevde Advocate for the Respondent (s)

CORAM

The Hon'ble Mr. K.Ramamoorthy : Member (A)

The Hon'ble ~~Mr.~~ Dr.R.K.Saxena : Member (J)

### JUDGMENT

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

No

1. Shri Harmanbhai Bhikhabhai Gohil,  
Bombay Housing Colony,  
Near Ram-Lila Maidan,  
Block No.449, Room No.30,  
Maninagar,  
Ahmedabad - 8.
2. Shri Roopsingh Keshvsingh Rana,  
Shankerbhai Patel's Chawl,  
Poson Dairy Road, Anand  
Dist. Kheda.

...Applicants.

(Advocate : Mr.M.A.Kadri)

Versus

1. Union of India,  
Owning and representing through  
The General Manager,  
Head Quarter Office,  
Western Railway,  
Chuchgate,  
Bombay - 400 020.
2. The Divisional Rail Manager,  
Baroda Division, Western Railway,  
Divisional Office at  
Pratapnagar,  
Baroda - 390 004.
3. Shri Chandulal J,  
Op.Locoshed,  
Kankaria, Maninagar,  
Ahmedabad - 380 008.
4. Shri G.Subramaniam,  
C/o.Locoshed, Kankaria,  
Maninagar, Ahmedabad - 8.
5. Shri Narharb  
C/o.Asst. Truction Foreman,  
Electric Shed,  
Ahmedabad - 2.
6. Shri Udesingh M.,  
C/o.Loco Shed,  
Bharoch Bharuch,  
Dist.Bharoach..
7. Shri Basirkhan I.,  
Loco Shed, Dabhoi,  
Dist.Baroda.
8. Shri Ghemalsingh G.,  
C/o.Locoshed,  
Kosamba, Kosamba  
Dist.Bharuch.
9. Shri Hirlal P.,  
C/o.Asst.Traction Foreman,  
Electric Shed,  
Ahmedabad - 2.

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10. Shri Sumantri D.,  
C/o.Asst.Fraction Foreman,  
Electric Shed,  
Ahmedabad - 2.
11. Shri Rangilasingh B.,  
C/o.Asstt.Traction Foreman,  
Electric Shed,  
Ahmedabad - 2.
12. Shri Bhikhabhai R.,  
C/o.Asst.Traction Foreman,  
Electric Shed,  
Ahmedabad - 2.
13. Shri Abidali H.,  
C/o.Asst.Traction Foreman,  
Electric Shed,  
Ahmedabad - 2.
14. Shri Annison I.,  
C/o.~~XXXX~~.Traction Foreman,  
Electric Shed,  
Ahmedabad - 2.

...Respondents.

(Advocate : Mr.N.S.Shevde)

ORAL JUDGMENT

O.A.NO. 299 OF 1991.

Date : 20.09.1994.

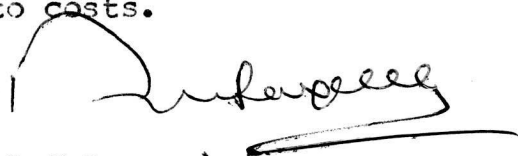
Per : Hon'ble Mr.K.Ramamoorthy : Member (A)

The present application is with regard to fixation of seniority. It is the contention of the applicant that <sup>Done</sup> since the names of the persons who are junior to him have since been shown as senior to him. The issue of seniority is one which can be decided on facts only. The learned counsel for the applicant states that if the Railways were to consider this O.A. along with the M.A., as representation he is prepared to abide by their decision. He wanted that the respondents may particularly decide the position on the

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basis of the law laid down by the Hon'ble Supreme Court in The Direct Recruit Class-II Engineering Officers Association and Others Versus State of Maharashtra and Others, AIR 1990, SC 1607. The respondents are directed to consider the same and dispose of the application within a period of 12 weeks and fix the seniority and also grant him subsequential benefits if any. If necessary, the applicant may also be given personal hearing to clarify any of the points made in the application.

The applicant is at liberty to approach the Tribunal if any grievance persists. As O.A. stands disposed of M.A. also does not survive. No order as to costs.

  
(Dr. R. K. Saxena)  
Member (J)

  
(K. Ramamoorthy)  
Member(A)

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