

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Register filed  
Counter by  
newly off  
Partly book  
Filed for hearing  
orders.  
Sohna Bench  
18/12

Order dated 28.11.01

It request further two weeks time  
is allowed to newly added respondents  
to file counter.

Adjourned to 19.12.01.

CP  
Vice-Chairman  
28/11

Order dated 19.12.2001

Heard Shri S.C.Samantray, learned  
counsel for the petitioners, Shri G.Rayatsingh,  
learned counsel for intervenors and Shri Ashok  
Mohanty, learned senior counsel appearing for  
the respondents (Railways). With the consent of  
learned counsels for the parties, the matter  
is taken up for hearing and final disposal.

It is not necessary go into too many  
facts of this case for disposing of this O.A.  
It is only necessary to note that Direct Recruit  
Diesel Driving Assistants recruited through the  
Railway Recruitment Board had earlier approached  
the Tribunal in Original Application No.398/99,  
which was partly allowed in order dated  
7.11.2000, wherein it was directed that the  
Direct Recruits and the Promotees should be  
sent for training not on the basis of their  
seniority, but on the basis of their eligibility  
taking into account differing service  
experience requirement for Direct Recruits  
and the Promotees. The present O.A. has been  
filed on the ground that notwithstanding the  
above direction of the Tribunal the departmental

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Free copy  
of the order  
dt. 19-12-01 given  
to the both  
counsel

Fatma  
21/12

R. M.  
S-0

authorities are sending D.D.As for training in order of their seniority. At the instance of learned counsel for the petitioners stay order was given indicating that D.D.As should be sent for training only with the leave of the Tribunal. At present from the submissions of the learned counsels for the parties that because of this stay order no D.D.A. has been sent for training. It is also the admitted by both sides that at present there are adequate number of seats ~~are vacant~~ <sup>available</sup> for DDA to undergo training. In consideration of this, we dispose of this O.A. with direction to departmental authorities that depending upon the number of ~~taken~~ <sup>available</sup> seats ~~taken~~ in S.T.C., Kharagpur, all the DDAs be sent for training and while sending them for training such deputation should be done strictly in accordance with the order dated 7.11.2000 passed by the Tribunal in O.A. 398/99.

We make it clear that besides the above direction we express no opinion on the conflicting ~~situation~~ <sup>on other fronts</sup> of the parties raised in this O.A. There shall, however, no order as to costs.

MEMBER (JUDICIAL)

S. Venkateshwaran  
VICE-CHAIRMAN  
19.12.2001