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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application Nos.894/2006 & 31/2007
Cuttack, this the 21st day of December, 2009

C O R A M:
THE HON'BLE MR.JUSTICE K.THANKAPPAN, MEMBER (J)
A N D
THE HON'BLE MR. C.R.MOHAPATRA, MEMBER (A)

OA No.894 of 2006

A.Bhagabati Rao, Aged about 48 years, S/o.Late Rabinduadu, at present working as Chief Commercial Inspector, E.Co.Railway, Bhubaneswar, Dist. Khurda.

....Applicant

By legal practitioner: M/s. B.S.Tripathy, M.K.Rath, L.N.Rayatsingh, Counsel.

-Vs.-

1. Union of India, represented by General Manager, E.Co.Railway, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
2. Chief Personnel Officer, E.Co.Railway, Chandrasekharpur, Dist. Khurda.
3. Divisional Railway Manager, E.Co.Railway, Khurda Road Division, Town/Po/Dist. Khurda.
4. Additional Divisional Railway Manager, E.Co.Railway, Khurda Road Division, Town/Po/Dist. Khurda.
5. Senior Divisional Personnel Officer, E.Co.Railway, Khurda Road Division, Town/Po/Dist. Khurda.
6. Chief Commercial Manager, Railvihar, E.Co.Railway, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
7. Rudra Narayan Pani, S/o.Sri Benidhar Pani, at present working as R.D.I. in scale Rs.5000-8000/-, E.Co.Railway, Town/Po/Dist. Khurda.

....Respondents

By Legal practitioner: Mr.M.K.Das (for Res.Nos.2 to 6)
M/s.Achintya Das, D.K.Mohanty, Counsel (For Res. No.7).

OA No. 31 of 2007

D.Garudiah, aged about 53 years, S/o.Late D.Nookaraju, working as Commercial Inspector, East Coast Railway, Berhampur, Khurda Road Division, Dist.Khurda.

....Applicant

By legal practitioner: M/s. B.S.Tripathy-I, H.K.Mohanty, L.N.Rayatsingh, Counsel.

-Vs.-

1. Union of India, represented by General Manager, E.Co.Railway, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
2. Chief Personnel Officer, E.Co.Railway, Chandrasekharpur, Dist. Khurda.
3. Divisional Railway Manager, E.Co.Railway, Khurda Road Division, Town/Po/Dist. Khurda.
4. Additional Divisional Railway Manager, E.Co.Railway, Khurda Road Division, Town/Po/Dist. Khurda.
5. Senior Divisional Personnel Officer, E.Co.Railway, Khurda Road Division, Town/Po/Dist. Khurda.

6. Chief Commercial Manager, Railvihar, E.Co.Railway, Chandrasekharpur, Bhubaneswar, Dist. Khurda.

7. Rudra Narayan Pani, S/o.Sri Benidhar Pani, at present working as R.D.I. in scale Rs.5000-8000/-, E.Co.Railway, Town/Po/Dist. Khurda.

....Respondents

By Legal practitioner: Mr.M.K.Das (for Res.Nos.2 to 6)
M/s.Achintya Das, (For Res. No.7).

.....

ORDER

Per- MR.C.R.MOHAPATRA, MEMBER (A):-

As similar question of facts and law are involved, though we heard both the matters separately, this common order is passed to govern in both the OAs.

2. A. Bhagabati Rao is the Applicant in OA No.894 of 2006 and Shri D.Garudiah is the Applicant in OA No. 31 of 2007. While Shri Rao is working as Chief Commercial Inspector, Shri Garudiah is at present working as Commercial Inspector. Both of them are in the East Coast Railway. Inclusion of the name of Shri Rudra Narayan Pani (Respondent No.7) and placing him above the name of Applicants in the gradation list of Chief Commercial/ Commercial Inspector is the grievance containing same and similar prayers which read as under:

OA No.894/2006

"(i) To quash the impugned order under Annexures-12,13,14 & 16 by holding the same as bad, illegal, arbitrary and *mala fide* in law; and

(ii) direct/order/command the Respondents No,.2,3&5 to declare the applicant as Senior to the Respondent no.7 retrospectively with all service benefits;

(iii) Pass such other order(s) as would be deemed fit and proper in the facts and circumstances of the case."

OA No.31/2007

(i) to quash the impugned orders under Annexures-12,13,14& 16 by holding the same as bad, illegal, arbitrary and *mala fide* in law; and

(ii) direct/order/command the Respondents No.2,3&5 to declare the applicant as Senior to the Respondent no.7 retrospectively with all service benefits;

(iii) Pass such other order(s) as would be deemed fit and proper in the facts and circumstances of the case."

3. CONTENTIONS OF THE APPLICNATS IN BOTH THE OAs

On 16.4.1977 Shri Rao (Applicant in OA No. 894/2006) was appointed as Commercial Clerk and subsequently, on 01.01.1984 he was promoted to Senior Clerk (Coaching). Similarly on 17.2.1981 Shri Gurudia (Applicant in OA No.31/2007) was appointed as Commercial Clerk and thereafter, on 11.8.1986 he was promoted to the post of Senior Commercial Clerk (Goods). Whereas, Respondent No.7/Shri R.N.Pani (in both the OAs) was appointed as Commercial Clerk on 17.10.1981 and was promoted to Senior Commercial Clerk (Goods) on 25.09.1987. All of them were in the erstwhile South Eastern Railway- now it is East Coast Railway. The promotional avenues in line above Senior Clerk are Head Goods clerk (in short 'HGC'), Chief Goods Superintendent (in short 'CGS') Grade-II and Grade-I. While Respondent No.7 was officiating as Commercial Controller, he was selected for an ex-cadre post i.e. Senior Research Development Inspector (in short 'SRDI') in the pre-revised scale of Rs.16000-2600/- which scale was revised to Rs.5500-9000/- with stipulation that the promotion was temporary and will confer no right for confirmation and his lien would be maintained in his parent cadre of commercial clerk vide order under Annexure-1 series dated 02.11.1989 & 08.09.1989. Applicant in OA No.894 of 2006 by positive act of selection was promoted to the post of Commercial Inspector Grade III vide order dated 31.1.1995 and Applicant in OA No.31/2007 was promoted to the said grade carrying the scale of pay of Rs.1400-2300/- vide order under Annexure-3 dated 07.09.1996 in which post he joined on 07.09.1996. According to the Applicants Respondent No.7 was found ineligible for Commercial Inspector line in Gr.III for which he was promoted in his goods line as HGC carrying the scale of pay of Rs.1400-2300/- vide order under Annexure-4 dated 19.02.1998. It is the stand of the Applicants that considering

the fact that the post of SRDI was an ex cadre post and even after joining the post the incumbent shall have to retain his lien in the parent cadre, the Applicants did not avail the opportunity to compete the post of SRDI along with Respondent No.7. It is the contention of the Applicants that promotional avenues available in the stream of Commercial Inspector Gr.III and Head Goods Clerk are different. The promotional channel from Commercial Inspector Gr.III to the post of Commercial Grade II and then Grade I, promotional channel of Head Goods Clerk is Chief Goods Superintendent Gr.II and next to Chief Goods Superintendent, Grade I. Seniority list of both the cadres are also maintained separately there having no interchangeability of the employees working in both the streams. In consultation with the Unions a decision was taken by the Respondents 1 to 6 vide order under Annexure-6 dated 27.11.1998 to open a channel of promotion for SRDI/RDI of Commercial Department. Thereafter, vide order under Annexure-8 dated 16.7.1999 Respondent No.7 was repatriated to his parent cadre. This was cancelled vide order under Annexure-9 dated 20.7.1999. By filing OA No.370 of 2009, Respondent No.7 sought direction to cancel his order of repatriation and to direct the Respondents therein to implement the order dated 20.7.1999. Both the Applicants also filed OA Nos.554 of 1999 and 386 of 1999 seeking to set aside the order under Annexure-6 by way of taking policy decision to open channel of promotion for SRDI/RDI and the order under Annexure-9 canceling the order of repatriation of Respondent No.7. The above three Original Applications were disposed by this Tribunal in a common order dated 03.08.2000 holding as under;

> "....14.In the result, therefore, OA No.370 of 1999 is rejected and OA Nos.386 and 554 of 1999 are partly allowed on the grounds indicated above. The prayer of the applicants in OA Nos.386 and 554 of 1999 for declaring that the decision to count ex cadre service experience of Shri R.N.Pani (the applicant in OA No.370 of 1999) for his further promotion in

the Commercial line is illegal, is rejected because no order has yet been passed by the departmental authorities to count such experience towards further promotion of Shri Pani. The interim order dated 30.07.1999 in OA No. 370 of 1999 and the interim order dated 9.8.1999 in OA No. 370 of 1999 stand vacated. We also note that in respect of the interim orders some of the petitioners had approached the Hon'ble High Court of Orissa. We make it clear that the above order regarding vacation of the interim orders passed by us will naturally be subject to whatever orders the Hon'ble High Court have passed in the matter...."

4. The aforesaid order of this Tribunal got challenged by Respondent No.7 as also by the Applicants before the Hon'ble High Court of Orissa in OJC Nos.7493, 8546, 8548 & 11847 of 2000. Meanwhile Respondents 1 to 6 passed orders under Annexure 12 dated 23.10.2002 and order under Annexure-13 dated 22.08.2005 taking back the Respondent No.7 to the post of SRDI/RDI and inserting his name in the gradation list of CMI Gr.III. The above fact having been brought to the notice of the Hon'ble High Court of Orissa by the Respondent No.7, the writ petition preferred by him was accordingly disposed of without expressing any opinion on the merit of the matter. The writ petitions preferred by the present applicants were also disposed of as infructuous by granting liberty to the applicants that if they have any remedy in view of the subsequent orders, they may pursue the same in accordance with law. In view of the above, it has been contended by Learned Counsel appearing for the Applicants that in the light of the observation of this Tribunal and in view of the disposal of the writ petition preferred by the RespondentNo.7, the order under Annexure-12, 13 and 14 are not sustainable in the eyes of law. The further contention of the Learned Counsel for the Applicants that the name of Respondent No.7 has been interpolated in the seniority list of category of CMI III in the scale of pay of Rs.5000-8000/- (RSRP) by taking into consideration his non-fortuitous services rendered in the ex cadre post of RDI/RDI w.e.f. 3.11.1989/23.10.2002

is highly illegal, arbitrary, vulnerable and is initiated by the decision of this Tribunal dated 3.8.2000. The Respondent Nos. 1 to 6 without due application of mind passed OM dated 27.10.2006 (Annexure-14) declaring the Respondent No.7 as senior to the applicants provisionally has unnecessarily given rise to the present litigation. The wrong committed by the Respondent Nos. 1 to 6 in the order under Annexure-14 has again been repeated/reiterated in the gradation list issued under Annexure-16. According to him the order under Annexure-12,13,14 and 17 are not sustainable being contrary to the decision of this Tribunal dated 3.8.2000 (Annxure-10); especially after withdrawal order under Annexure-15 & 16 of the writ petition filed by the Respondent No.7. It was further contended that the claim of Respondent No.7 emanates from the order dated 27.11.1998(Annexure-6) which was challenged before the Hon'ble High Court and subsequently withdrawn by him. This Tribunal has interpreted the same as not an order of encaderment of SRDI/RDI to be tagged with Commercial Inspector Grade III in the scale of pay of Rs.5000-8000/- but only an order for opening of channel of promotion for CMI III in scale of pay of Rs.5000-8000/-. The Respondent No.7 was already in scale of Rs.5500-9000/- w.e.f. 01.11.1989 but he was allowed to work as SRDI in the scale of Rs.5000-8000/- vide order dated 23.10.2002 vide Annexure-13 without issuing any order of reversion from the scale of Rs.5500-9000/- to Rs.5000-8000/- and without repatriating Respondent No.7 to his parent cadre as Head Goods Clerk in scale of Rs.5000-8000/-. Therefore, according to the Learned Counsel for the Applicant, allowing Respondent No.7 as SRDI in scale of Rs.5000-8000/- during pendency of various litigation to come to the cadre of CMI III was illegal, perverse, contrary to the settled position of law, contemptuous and mala fide exercise of power. Next submission of Learned Counsel for the Applicants is that

selection and appointment of Respondent No.7 to the post of SRDI was temporary having his lien in the parent cadre. As such, he cannot get any benefit without being absorbed in the said post.

5. CONTENTIONS OF RESPONDENTS 1 to 7:

It has been admitted by the Respondents that in the initial recruitment both the Applicants are senior to Respondent No.7. But in the counter/notes of arguments it has been averred that Applicants were promoted to Senior Commercial Clerk (Goods) in the time scale of pay of Rs.330-560/-(RSRP). At that relevant time, Respondent-Department invited applications vide notification dated 08.09.1989 for filling up of the ex-cadre post of Senior Research Development Inspector [in short 'SRDI'] in the time scale of pay of Rs.1600-2660/-(RPS) from among the eligible departmental employees. Respondent No.7/Shri Pani having fulfilled the conditions of the notification applied for being considered to the post of SRDI while he was continuing as Commercial Clerk. But the Applicants did not avail the opportunity of competing the post in question. Respondent No.7 was also selected to the post of SRDI in the time scale of pay of Rs.1600-2660/-, through a positive act of selection in which post he joined 03.11.1989. Since the SRDI post was an ex cadre post, as per the conditions stipulated in the notification dated 08.09.1989; the lien of the Respondent No.7/Shri Pani was still maintained in his parent cadre. Accordingly, as per rules, when his turn came, he was theoretically shown to have been promoted on proforma basis to the post of Senior Commercial Clerk (Goods) on 01.11.1994 though he was physically continuing in the post of SRDI. From the post of Senior Commercial Clerk (Goods) in the time scale of pay of Rs.330-560/-(RSRP), Applicants were promoted to Commercial Inspector Gr.III & II and Respondent No.7 was shown to have been promoted on proforma basis to the Head Goods Clerk

(HGC) in the time scale of pay of Rs.425-540/- (RSRP) on 19.02.1998. Applicants were senior in the promotional cadre also was not disputed but it has been contended that Respondent No.7 has been continuing in the equivalent post of Commercial Inspector Gr.II i.e. SRDI much earlier than the Applicants. It has been stated that Respondent-department invited application for filling up of the post of Commercial Inspector in the time scale of pay of Rs. Rs.425-640/- revised to Rs.5000-8000/- (by the recommendation of the Vth CPC) from among the eligible employees vide notification dated 25.01.1996 through positive act of selection. This was not the normal channel of promotion of the Applicants. However, Applicants having applied and appeared got selected to the post of Commercial Inspector Gr.III in the time scale of pay of Rs.425-640/- revised to Rs.5000-8000/- (by the recommendation of the Vth CPC). But Respondent No.7 did not avail the said opportunity as he was already in the equivalent scale much prior to the said notification. While the matter stood thus, the competent authority in exercise of the power conferred in para 124 of the Indian Railway Establishment Code (Vol.I) [1985 edition) took a policy decision order dated 27.11.1998 (Annexure-7) for maintaining one combined seniority list of both the cadres i.e. SRDI/RDI and Commercial Inspectors, Gr.III. This decision was taken by the authority considering the fact that there was no channel of promotion for the SRDI/RDI. This decision was taken after due discussion and deliberation with the representatives of the Union in which both Applicants and Respondent No.7 were members. It has been contended that in spite of the aforesaid policy decision of the competent authority, by the order of the Senior Divisional Commercial Manager, dated 16.07.1999, the Respondent No.7/Shri Pani was repatriated to his former post of Head Goods Clerk in the time scale of pay of Rs.5000-8000/-. This order of repatriation dated 16.07.1999 was

cancelled by the Chief Commercial Manager of erstwhile South Eastern Railway vide order dated 20.07.1999 allowing respondent No.7 to continue as SRDI in which post he was continuing since 03.11.1989. Since the respondent No.7 was not allowed to continue in the post of SRDI, he approached before this Tribunal in OA No.370 of 1999. This Tribunal issued notice to the Respondents and by way of interim order directed to allow the Respondent No.7 to continue in the post of SRDI. Thereafter, he filed CP and being aggrieved by the order of this Tribunal passed in the CP, he approached the Hon'ble High Court of Orissa and as per the direction of the Hon'ble High Court, Respondent No.7 were allowed to continue in the post of SRDI. Simultaneously, OA Nos. 386 of 1999 and 554 of 1999 were filed by the Applicants challenging the said policy decision dated 27.11.1998 and order of cancellation of the repatriation of this Respondent No.7 dated 20.07.1999. In a common order dated 03.08.2000, this Tribunal disposed of the three matters with the orders indicated above. The said order dated 03.08.2000 of this Tribunal was challenged by the Applicants and Respondent No.7 before the Hon'ble High Court of Orissa in OJC Nos.7493, 8548 and 8546 of 2000. While the matter stood thus, by an order dated 23.10.2002, the Respondent No.7 was allowed to continue in the post of SRDI and as per the policy decision of the Railway dated 27.11.1998 name of the Respondent No.7 was shown/brought into the combined seniority list of Commercial Inspector Gr.III as both the posts was carrying the same scale of pay vide order dated 27.10.2006. As the Respondent No.7 was in the scale of pay of Commercial Inspector Grade III much before the promotion of the Applicants to the grade of Commercial Inspector Grade III, the name of this Respondent No.7 was rightly shown at Sl.No.1 and the name of Applicants were shown below him in the combined gradation list. The developments which took place having

been brought to the notice of the Hon'ble High Court of Orissa, the Hon'ble High Court of Orissa, disposed of all the cases including the one filed by the present Applicants taking note of the order dated 23.10.2002 and the order dated 27.10.2006 in the case filed by the Respondent No.7 thereby making the cases filed by the Applicants and another as infructuous. The Applicants did not challenge the aforesaid order of the Hon'ble High Court of Orissa before the higher forum nor sought recalling the order by way of review. Hence, the order passed by the Hon'ble High Court of Orissa is binding on all the parties including Applicants and Respondent No.7. Thereafter, there is hardly anything remains or any scope for the Applicants to approach before this Tribunal in the present Original Application which amounts to virtually seeking alteration of the order of the Hon'ble High Court. In furtherance to the above, Learned Counsel buttressed their stand by relying on the decision of the Hon'ble Apex Court in the case of **K.Anjaiah v K.Chandraiah**,AIR 1998 SC 120 (paragraph 7)] holding that persons coming from different sources and drafted to serve a new service to count their previous length of service for determining their ranking in the new service cadre. As such, ranking the Respondent No.7 in the combined seniority list is in no way faulty or illegal. Further it has been contended that insertion of the name of the Respondent No.7 was in accordance with the policy decision taken by the Respondents. Such policy decision of the Respondent-Department is neither contrary nor infraction of any of the Rules in existence. Such policy decision has not been challenged by the Applicants. Therefore, assignment of the position taking into consideration the length of service in the cadre of SRDI cannot be faulted being in accordance with law as decided by the Hon'ble Supreme Court in the case of **A.K.Bhatnagar v Union of India** (1990)4 JT (SC) 610. Next contention of the Learned Counsel appearing for the Respondents is that

Applicants are estopped under law to challenge the said policy decision of the Government deciding to make a common seniority between the Commercial Inspector Gr.III and SRDI. By relying on the decision of the Hon'ble Apex Court in the case **P.U. Joshi and others v Accountant General, Ahmedabad and others**, 2003(2) SCC 632 it has been contended that the applicants have no *locus standi* to challenge the said policy decision as it has been held by Hon'ble Apex Court that "there is no right in any employee of the state to claim that rules governing conditions of his service should be forever the same as the one when he entered service for all purposes and except for ensuring or safeguarding rights or benefits already earned, acquired or accrued at a particular point of time, a government servant has no right to challenge the authority of the State to amend, alter and bring into force new rules relating to even an existing service." In support of the plea that policy decision of the Government cannot be interfered with Learned Counsel appearing for respondents relied on the decision in the case of **Basic Education Board, UP v Upendra Rai and others**, (2008) 1 SCC (L&S) 771. In substance, it is the contentions of the Respondents' counsel that the OAs are liable to be dismissed as the orders under Annexure-12 & 14 are no longer open for the Applicants to challenge after the order of the Hon'ble High Court, that the prayer for quashing of Annexure-A/13 is not maintainable as the said letter was issued on the strength of the order dated 27.11.1998 through which it was decided to maintain common gradation list and that the order dated 27.11.1998 having not been challenged, quashing of the subsequent orders would cause serious jeopardy to the interest of the Respondent No.7. Accordingly, prayer was made for dismissal of both the OAs.

6. **DISCUSSIONS:**

(i) Respondent No.7's inclusion in the gradation list of CMI-III was by the decision of the authority under Annexure-A/7 dated 27.11.1999. It provides as under.

> "In consultation with the recognized unions of this Railway, it has been decided to open a channel of promotion to the SRDI/RDI of the Comml. Deptt., for further advancement with the inspectorial staff of Comml. Deptt. of the Divisions.
>
> Consequent on the above decision, the revised AVC of Comml. Clerks and Comml. Inspectors of the Division duly tagged SRDI/RDI with Comml. Inspectors for furthe4r advancement is sent herewith for information, guidance and necessary action. The seniority (non-fortuitous services) in the grade of SRDI/RDI tobe taken into consideration to determine the interse seniority in the category of Comml. Inspector Gr.III in scale Rs.5000-8000/- for their next promotion to the grade of Comml. Inspectors (in scale of Rs.1600-2600/-(RP)/Rs.5500-9000/- (RSRP) and onwards.
>
> This issues with the approval of Chief Commercial Manager and Chief Personnel Officer."

(ii) This order has not been challenged by any of the Applicants in the present OAs. The Applicants challenge the order under Annexure-12, 13, 14 and 16. Annexure-12 is the order allowing the respondent No.7 to continue as SRDI, Khurda in the scale of Rs.5000-8000/- against existing vacancy. Annexure-13 reads as under:

> "Shri R.N.Pani while working as Sr. Goods Clerk (1200-2040) was posted as SRDI (1600-2660) after due screening on 13.11.1989. He was erroneously reverted back to his lien cadre as Head Goods Clerk (1400-2300) on 16.07.1999. The employee should have been restored as SRDI and interpolated with Commercial Inspector III of the division after orders dated 27.11.1998 were issued instead of being reverted. Since he was posted as SRDI initially on ex-cadre basis after due screening, he was eligible to be interpolated with Commercial Inspector-III subsequent to the issue of the above mentioned two letters dated 27.11.1998 and 23.07.1999 of CPO/SER/GRC."

(iii) Annexure-14 & 16 are the seniority list showing the name of Respondent No.7 in the common cadre of Commercial Inspector-III. Admittedly, Applicants were in the scale of pay of Rs.5000-8000/- prior to the interpolation of the name of Respondent No.7. No where in the pleadings it has been stated by the Applicants that the selection and continuance of the Respondent No.7 in the post of SRDI/RDI was on deputation basis or by way of stop gap arrangement except submitting during argument that he was appointed to the post of SRDI temporarily. It is a just and wholesome principle commonly applied to persons coming from different sources and drafted to serve a new cadre to count their previous length of service for determining their ranking in the new service cadre (**K.Anjaiah v K.Chandraiah**, AIR 1998 SC 120 (paragraph 7). It is also settled law that preexisting total length of service should be respected in determining their ranking in the new service cadre [**R.S.Mokashi v I.M.Menon**, AIR 1982 SC 101 and **M.Ramachandran v Govind Ballabh and others,** AIR 1999 SC 3601]. Inclusion of Respondent No.7 in the common gradation list was by way of policy and it is settled law that court and tribunal is hardly clothed with the power to interfere in policy decision such as creation and abolition of posts, pay scales and amalgamation of cadres etc. However, the said policy decision is not under challenge in this OA. But the Applicants challenge the subsequent orders passed based on the said policy decision. However, it is noticed that the matter has already received consideration of this Tribunal in earlier OAs as well as the Hon'ble High Court of Orissa. It has been contended by Learned Counsel for the Applicants that representation (Annexure-18) filed by Shri A. Bhagabati Rao is pending consideration with the authority since 2002. It appears that no decision has been taken thereon till date.

7. **CONCLUSION:**

Right to make representation and in that event to know the result thereof is a fundamental right of employees. It is also a cardinal principle to be followed by the employer to ensure a fair and timely redressal of the grievance of the employees. Sitting tight over the representation of the employees is therefore, not at all desirable. In view of the above and in the light of the discussions made in these OAs, these two Original Applications are disposed of with direction to the Respondent No.3 with whom the representation under Annexure-18 of Shri A.Bhagabati Rao is pending to consider and dispose of the same with a reasoned order keeping in mind the earlier order of this Tribunal as also the order of the Hon'ble High Court of Orissa referred to above and communicate the result thereof to the Applicants within a period of 60 (sixty) days from the date of receipt of this order. There shall be no order as to costs.

Sd/-
MEMBER(J)

Sd/-
MEMBER(A)

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Section Officer (J) 22/12/09
Central Administrative Tribunal
Cuttack Bench, Cuttack