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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

O.A Nos. 245, 250 & 251 of 2009  
Cuttack, this the 24<sup>th</sup> day of October, 2011

CORAM:

THE HON'BLE MR.C.R.MOHAPATRA, MEMBER (A)  
AND  
THE HON'BLE MR.A.K.PATNAIK, MEMBER (J)

OA No.245 of 2009

Saroj Kumar Patra, aged about 38 years, Son of Satyanarayan Patra, permanent of Dadhibaban Street, Phulbani at present working as (Diesel Power Controller) under Chief Mechanical Engineer, E.Co.Rly, Bhubaneswar.

.....Applicant

By legal practitioner:M/s.N.R.Routray, S.Mishra, Counsel.

-Versus-

1. Union of India represented through the General Manager, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
2. Chief Personnel Officer, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
3. Chief Operating Manager, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
4. Chief Mechanical Engineer, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
5. Chief Personnel Officer (Admn.), East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.

....Respondents

By legal practitioner: Ms.S.L.Pattnaik, Counsel

OA No.250 of 2009

K.Lalitendu Kumar, Aged about 34 years, S/o.K.Rajkishore, permanent of Gopalkrushna Marg, Rambha, Dist. Ganjam, at present working as a (Chief Diesel Power Controller) under Chief Mechanical Engineer, E.Co.Rly, Bhubaneswar.

.....Applicant

By legal practitioner:M/s.N.R.Routray, S.Mishra, Counsel.

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-Versus-

1. Union of India represented through the General Manager, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
2. Chief Personnel Officer, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
3. Chief Operating Manager, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
4. Chief Mechanical Engineer, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
5. Chief Personnel Officer (Admn.), East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.

....Respondents

By legal practitioner: Ms.S.L.Pattnaik, Counsel

OA No.251 of 2009

Sarat Kumar Bhal, aged about 35 years, S/o.Sukadev Bhal, permanent of Jaleswarpur, Via-Motto, Dist. Bhadrak at present working as a (Diesel Power Controller) under Chief Mechanical Engineer, E.Co.Rly, Bhubaneswar.

.....Applicant

By legal practitioner:M/s.N.R.Routray, S.Mishra, Counsel.

-Versus-

1. Union of India represented through the General Manager, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
2. Chief Personnel Officer, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
3. Chief Operating Manager, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
4. Chief Mechanical Engineer, East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.
5. Chief Personnel Officer (Admn.), East Coast Railway, Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.

....Respondents

By legal practitioner: Ms.S.L.Pattnaik, Counsel

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ORDER

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

Although these three Original Applications were heard, one after the other, since issues involved in all these three OAs are the same (though factual position is little different

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in respect of the applicant in OA No. 251 of 2009), for the sake of convenience this common order is passed which will govern all the cases.

2. Shri Sarat Kumar Bhal is the Applicant in OA No. 251 of 2009. He was recruited and appointed to the substantive post of Passenger Driver-II under the erstwhile South Eastern Railway but working as Power Controller/Crew Controller at Sambalpur Division on temporary basis. The East Coast Railway was carved out from the erstwhile South Eastern Railway, headquarters at Kolkata w.e.f. 01.04.2003. At the time of trifurcation of S.E.Railway, options were called from staff working in different zones and divisions to serve in the new zonal office i.e. ECoR/Hqrs, Office Bhubaneswar vide letter under Annexure-A/1 dated 2<sup>nd</sup> January, 2003 in which it was provided as under:

"Options have been called for from the employees working in South Eastern Railway for posting to Headquarters office of East Coast Railway in terms of the Railway Board's letter referred above.

CPO/S.E.Railway is taking action for transfer of the optees from the Headquarters of S.E.Railway to East Coast Railway along with the posts. The options of staff working in the divisions under the control of S.E.Railway, have been forwarded to this office by CPO/S.E.Railway.

The list of optees, received from CPO/SER, pertaining to your department is enclosed. You are advised to decide the suitable staff for transfer to East Coast Railway based on your requirement, keeping in view the priorities as advised by the Board vide para-2 of Railway Board's Letter No.E (NG)i-96/tr/36 DTD.6.12.96 ) reproduced below for your information-

- i) From non-gazetted staff working at the headquarters offices of the existing zonal Railways

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from whose jurisdiction the new zones have been carved out, for being transferred to the headquarters offices of the respective New Zonal Railways.

ii) From the non-gazetted staff working in the affected Divisions of existing zonal Railways as follows:-

- a) Whether they would like to continue to work wherever they are working at present; or
- b) Proceed to the headquarters offices of the respective New Zonal Railways.

NOTE:-

Non-gazetted staff of affected Divisions in categories/cadres controlled by headquarters will have the option to remain in the existing zonal Railway or join the New Railway for which they must exercise option.

iii) From non-gazetted staff working in other Divisions of existing zonal railways for working in the respective new zonal railways; and

iv) From non-gazetted staff of all zonal railways/Production Units for working in the headquarters office of one of the new zonal railways against shortfall, if any.

2.1. Preference for transfer on option to the new zonal railways should be given in the order as indicated in para 2 above.

While selecting the staff for transfer, it should be ensured that due representation of SC/ST/OBCs as per the post based roster is provided as decided by the Board vide letter No.2002-E(SCT)1/25/10, dtd.18.10.02. Also while considering the transfer of staff, it should be ensured that the percentage prescribed by the Board between various grades in the cadre is strictly adhere to."

3. In pursuance of the aforesaid options under Annexure-A/1, applicant while continuing as Power Controller/Crew Controller at Sambalpur Division exercised his option to serve in the new zonal office. The option of the applicant was accepted as evident from Annexure-A/2 dated 21<sup>st</sup> February, 2003 and consequently, option transfer order of the applicant was issued vide Memorandum under Annexure-A/3 dated 28.10.2003 in which it was provided/directed as under:

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**"MEMORANDUM**

With the approval of the competent authority the following option transfer orders to Mechanical Department of East Coast Railway, Headquarters are issued in administrative interest, which will be with immediate effect:

Sl.No.	Name of employees	Designation	Scale of pay Rs.	Division/Station
1	S.K.Bhal	Diesel Power Controller (Ex cadre) (Lien in Diesel Passenger Driver Cadre/SBP)	5000-8000	SBP/ECOR

NB: (I) The optees who have opted to serve in the Zonal Headquarters Office of ECoR/BBS will be accepted in their substantive grade only. If any false declaration in application regarding the substantive scale/grade is noticed at the time of reporting or at a later date the employee will be liable for reversion to substantive grade/repatriation to lien unit/parent division without any notice.

(II) DRM (P) of the concerned divisions may detain any staff whose substantive grade does not match the scale of pay reflected against their name in the above list. Name of such staff detained may be intimated to this office duly mentioning their substantive grade/designation.

(III) In cases involving transfer to ECoR Headquarters in posts of Zonal seniority the concerned employees will be liable for transfer/posting in any unit/division in ECoR jurisdiction in future.

(IV) **In ex cadre categories such as Loco/DPC on completion of the tenure period the employees posted to ECoR Hqs would revert back to their parent cadre and lien unit.**

(V) DRM(P) of the concerned division may intimate to this office without delay if they are unable to spare any or the above staff.

(VI) The above posting orders are subject to creation of concerned posts and in the case of non-availability of the posts the posting orders can be kept in abeyance."

4. Vide Annexure-A/6 dated 21.02.2008 some of the optees came on option transfer who were absorbed in ECoRly Headquarters. By making representation applicant sought his absorption in the Headquarters. As the Applicant had completed his tenure against ex-cadre post in terms of RBE No. 162/2004 he was ordered to be repatriated to his lien unit vide order under Annexure-A/8 dated 19.03.2009. Accordingly,

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Applicant was repatriated to his lien unit i.e. SBP Division vide order under Annexure-A/9 dated 10.4.2009 and vide order under Annexure-A/11 fresh option was directed to be invited from the running staff of three divisions to perform the duties of Power Controller at Headquarters.

5. The Applicants in OA Nos. 245 & 250 of 2009 were initially recruited/appointed to the posts of Passenger Driver in S.E.Rly. Both of them were posted as Power Controller in the Sambalpur Division of erstwhile S.E.Rly. When the ECoRly was carved out from the S.E.Rly, options were invited under Annexure-A/1 dated 2<sup>nd</sup> January, 2003 (re-produced above) to work in ECoRly Headquarters on option transfer. The Applicants submitted their option. On consideration of their option they were selected to come to the ECoRly Hqrs under Annexure-A/3 dated 13.03.2003 with certain conditions relevant portion of which are reproduced below:

"NB: (I) The optees who have opted to serve in the Zonal Headquarters Office of ECoR/BBS will be accepted in their substantive grade only. If any false declaration in application regarding the substantive scale/grade is noticed at the time of reporting or at a later date the employee will be liable for reversion to substantive grade/repatriation to lien unit/parent division without any notice.

(II) DRM (P) of the concerned divisions may detain any staff whose substantive grade does not match the scale of pay reflected against their name in the above list. Name of such staff detained may be intimated to this office duly mentioning their substantive grade/designation.

(III) Power/Crew controllers coming on transfer to ECoR Headquarters will continue to hold their lien in their running cadre in their lien division. **They will continue to progress in their respective running cadre division within**

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the jurisdiction of ECoRailway after completion of three years tenure as controllers in ECoR Hqr as per instructions in Railway Board's letter No. Ep&Appl-83/RS/10 dated 09.01.1998.

(IV) In cases involving transfer to ECoR Headquarters in posts of Zonal seniority the concerned employees will be liable for transfer/posting in any unit/division in ECoR jurisdiction in future.

(V) The above mentioned staff should be released within 10 days from the date of issue of this letter. Otherwise the orders are likely to be cancelled and other optees in their turn will be given preference."

6. In Annexure-A/4 they were transferred and posted to ECoRly Hqrs. In Annexur-R/3 dated 16.4.2003, which appears to have been suppressed by the Applicant in OA No. 250/2009, it was stated as under:

"The following orders are issued with the approval of the competent authority.

Sri K.Lalitendu Kumar Drivr (Passenger) in scale Rs.5500-9500 (RSRP) from SBP Divn is transferred to ECoRly and posted to Mechanical Department of ECoR Hqs./BBS as Power Controller in same scale of pay and capacity with effect from 10.4.2003 (FN).

His lien will be maintained in SBP Divn., and he will continue to progress in parent running cadre ni SBP division. He is liable for repatriation to the parent cadre on completion of tenure as Power Controller as per extant Railway Board instructions on the subject."

7. While the applicants were continuing on option transfer to ECoR Hqrs, they were promoted under Annexure-R/6 & R/7 to Loco Pilot I (Pass) in their parent unit where their lien was maintained and they have also accepted the promotion without any demur.

8. In Annexure-A/6 some of the employees who had come to the ECoRly Hqrs were absorbed. Applicants submitted representation in Annexure-A/7 for their absorption in ECoRly
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Hqrs. In Annexure-A/8 repatriation of the applicants as they have completed their tenure in terms of RBE No. 162/2004 was directed and in Annexure-A/9 dated 10.04.2009 they were repatriated to their lien posts. In Annexure-A/11 dated 08-05-2009 it was directed for repatriating of DPCS working for more than five years and calling for fresh options.

9. Being aggrieved by the said decision/action, the Applicants in the three OAs, have approached this Tribunal seeking to quash the decision taken for repatriation dated 19.03.2009 and order of repatriation dated 08-05-2009 with further prayer to direct the Respondents to regularly absorb the Applicants in the ECoRailway Headquarter at par with others absorbed vide Annexure-A/6.

10. Respondents have filed their counter in which it has been stated that the East Coast Railway was carved out from erstwhile South Eastern Railway, Kolkata w.e.f. 01.04.2003. At the time of trifurcation of SERly, options were called from the staff of different Zones and Divisions to serve in the new zonal office i.e. ECoRly/Hqrs. Accordingly, optees were transferred and posted in Headquarter Office of ECoRly from other Railways duly keeping their lien in their parent division/Railways till such time the cadre of ECoRailway Headquarters was finally formed. The Applicants were posted on transfer from other

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Divisions/Railways with specific condition that their lien will be maintained in their respective unit/Railways and with clear knowledge that they will be repatriated to their parent unit on completion of their tenure. On completion of their tenure as per the extant rule no further extension was permissible. It has been stated that the case of others with whom the applicants claim parity is different and distinct. On the above grounds they have opposed the prayers of the applicants.

11. Mr. Routray, Learned Counsel for the Applicants submits that in the order of transfer it was specifically made clear that in case of violation of the condition stipulated at NB No.1 the optees are liable for reversion to substantive grade/repatriation to lien unit/parent division without any notice. No time limit/tenure was fixed in the order and rather the continuance of the applicants was/is made permissible beyond the period of three years (as restricted vide RBE No.9/1998 dated 09.01.1998 till regular absorption in ECoRly headquarter. The Applicants were allowed/given to enjoy all benefits in the ECoRly headquarter. The applicants were transferred to ECoRly Headquarters along with their posts and posted in ECoRailway Headquarter in their existing capacity. As per the posting order the applicants' lien is maintained in their respective parent division till the cadre in ECoRly Hqrs is finally

formed, in other words after the applicants' regular absorption in the ECoRly headquarters. Similarly situated employees have been absorbed and, therefore, repatriation of the applicant is in violation of the provisions enshrined in Article 14 of the Constitution of India. It is the contention of the Applicants' Counsel that the applicants are optees who had opted to work in the headquarter on permanent basis for which they could have been allowed to continue till sanctioned posts were made available. He contended that Annexure-R/2 being dated 30.10.2003 has no retrospective effect and, therefore, the provisions made therein should not have been made applicable to the applicants. Further, his argument is that neither the posts in which the applicants were continuing, are coming within para I of RBE NO.187/2003 nor any provision has been made therein that all the running staff/ex cadre posts are restricted from availing the benefit of policy of option transfer. Hence Learned Counsel for the Applicants prayed for granting the reliefs claimed in these OAs.

12. On the other hand, it was contended by Respondents' Counsel that in pursuance of the Railway Board's instruction under Annexure-R/1&R/2, to form the cadre of ECoRly, Headquarters the optees were posted on transfer from different zones and divisions. The applicants were posted on

transfer by exercising option from Sambalpur Division to work in headquarters office which is within the jurisdiction of ECoRly. The original designation of the applicants was passenger Driver II but working as Power Controller/Crew Controller at Sambalpur on ex cadre basis. The transfer of the applicants holding ex cadre posts in the present unit to the Headquarters office was made vide order under Annexure-A/5 with a condition that their lien will be maintained in their parent division. The period of tenure of running staff is three years which was extended to a maximum period of five years with the specific approval of the GM keeping in view the administrative requirement as per RBE No. 162/2004 (Annexure-R/4). Absorption depends on various factors. Since the substantive grade of the applicants was in running cadre and regarding their transfer to ex-cadre posts from the beginning they were aware that they cannot be made permanent as they have been brought to ex cadre posts with fixed tenure. Hence Respondents' Counsel has prayed for dismissal of these OAs.

13. We have given our anxious consideration to various points raised by the parties and perused the materials placed on record. Before expressing our opinion on the merit of the matter, we would like to quote the provisions relied on by the parties. They read as under:

"R.B.E.No.162/2004-[E(:&A)II-2002/RS-24 dated 23.7.2004]



Subject: Tenure of posting of Running staff drafted to perform the duties of Power/Crew Controllers.

The question of revision in the tenure of posting of Running staff drafted to perform the duties of Power/Crew Controllers prescribed in Para 2(f) of Board's letter No. E (P&A) II-83/RS-10, dated 9.1.1998 (Bahari's 9/1998,p.4) has been under consideration of the Board, particularly in the light of the Inspection Notes of the then CRB of Window Trailing Inspection of Delhi Safdarjang-Saharanpur Section & Jagadhari Workshop on 6<sup>th</sup> November, 2002, wherein vide Item No. 4.3 thereof, extension in tenure of Running staff drafted to perform the duties of Power/Crew Controllers to 5 years was permitted by CRB with the specific approval of GM.

2. The above issue has been examined in detail by the Board in the light of various references received subsequently from the recognized Federations and some of the Zonal Railways also and, in partial modification of the instructions contained in Para 2(f) of Board's letter dated 9.1.1998, it has been decided to empower General Manager of the concerned Zonal Railway to extend the tenure of posting of Running staff drafted to perform the duties of Power/Crew Controllers beyond three years on year to years basis upto a maximum period of five years (i.e. 3+1+1) keeping in view the administrative requirement.

3. This has the approval of the President and issues with the concurrence of the Finance Directorate of the Ministry of Railways."

Relevant portion of the RBE No. 117/2002 is quoted herein below:

[E(NG)I/96/TR/36 Vol.II dated 19.7.2002

"Subject: Calling of options from staff to serve in the Headquarter of the new Railway Zones-Determination of seniority of staff no transfer to the New Zones.

.... ....  
2. In para 5 of this Ministry's letter dated 6.12.1996 it has been stipulated that seniority of staff coming on transfer from the existing zonal Railways to the headquarter offices of the new zonal Railways should be determined in each grade on the basis of non-fortuitous length of service in the grade as on the date of new zonal Railway becoming operational. The requisite notification constituting five new zonal Railway namely East Coast Railway, South Western Railway, Hubli and West Central Railway, Jabalpur w.e.f. 1.4.2003 with following jurisdiction has since been issued vide this Ministry's Notification No. 97/E&R/700/1/Notification dated 4.7.2002-

.... ....  
3. The question of allowing fresh options to staff for working in the headquarter offices of the above five new zonal Railways has been considered by the Ministry of Railways in view of the following:-

- (i) Change in the jurisdiction of the new zonal Railways, if any, from the one as contemplated/taken
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into account while calling options initially in terms of this Ministry's letter dated 6.12.1996.

(ii) Creation of new Divisions and re-organization of existing Divisions vide notification No. 98/E&R/700/1/Notification dated 4.7.2002; and

(iii) date for exercising options being current only upto 30.9.1998 vide this Ministry's letter of even No dated 26.5.1998.

4. The Ministry of Railways have decided that in view of the above fresh options, as considered necessary and as may be decided mutually between the respective CPOs of the new zonal Railways and of the existing zonal Railways from whose territorial jurisdiction the new Zones have been carved out, may be called for from the staff for working in the headquarter offices of the above five new zonal Railways strictly as per the priority laid down in para 2 of this Ministry's letter of even No. dated 6.12.1996 as modified subject to the following further conditions:-

(i) The options may be exercised latest by 30.11.2002;

(ii) The staff short listed for transfer/posting to the headquarter offices of the new zonal Railways should be in position as per schedule advised by the new Zonal Railways but in any case latest by 31.3.2002 for which the CPOs of the existing zonal Railways should ensure that the staff concerned are relieved as soon as requested by the new Zonal Railways.

(iii) Any transfer to the headquarter offices of these five new zonal Railways on or after 1.4.2003 will be treated as transfer on request on bottom seniority in recruitment grades subject to usual conditions governing such transfers being fulfilled.

(v) Other conditions as stipulated in this Ministry's letter of even No. dated 6.12.1996 will continue to apply.

5. The staff exercising option for working in the headquarter offices of the new zonal railways should also signify their consent for receiving their salary and other payments by cheque. This may be ensured. In this connection instructions contained in Board's letter No. 2002/ACII/21/13, dated 19.7.2002 refer."

Instructions issued vide RBE No.187/2003 provide as

under:

"Subject: Transfer of staff to Headquarter offices of new Zonal Railways-Sparing of staff.

Reference: This Ministry's letter of even no dated 29.9.2003 on the above subject.

[E(NG)I-96/TR/36,VolIV dated 30.10.2003]

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As the Railways are aware, the cadres in the Headquarter offices of the new Zones are due to close on 31.10.2003. The issue of release of staff to Headquarter offices of new Zones was discussed in the GM's Conference held in Board's Office on 28/29.10.2003 wherein the following decisions were taken:-

- (i) All the staff whose options for transfer to Headquarter Offices of new Zonal Railways have been accepted by the new Zonal Railways and are required as per the sanctioned strength in the new Zonal Railway headquarters should be spared positively by 31.10.2003 except the train passing staff viz. AMs/SMs/Dy.SSs/SSs and running staff viz. Diesel/Elec.Asstts, Drivers and Guards/Asstt.Guards who are not to be spared.
- (ii) Options exercised by staff holding headquarter controlled posts in the affected Divisions as per instructions vide Note below para 2(ii)(b) of Board's letter No. E (NG)I-976/TR/36 dated 6.12.1996(Bahri's 123/1996 p.109) should be honoured and the staff concerned spared by 31.10.2003 positively.
- (iii) Since the GMs of the new Zonal Railways expressed inability to accommodate the staff if they re spared in one go by 31.10.2003, the paper lien of staff as on 31.10.2003 may be transferred for the time being and the GMs of the respective new Zonal Railways and the old (parent) Railways should mutually come to an understanding to this effect and fix a target date (NOT later than 30.4.2004) for physical transfer of these staff as per seniority. The staff whose paper lien is so transferred will be considered for selection/promotion etc. in the Hq. offices of new Zonal Railways though they will not be physically available there. Such staff should NOT be considered for selections/promotions including for cadre restructuring in the old (parent) railways. The two GMs should sign a Memorandum of Understanding (MOU) relating to transfer of paper lien latest by 5.11.2003.
- (iv) The posts which are yet to be transferred to headquarter offices of new Zonal Railways and are required to be declared as supernumerary should not be taken into account for the purpose of cadre restructuring.

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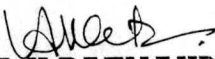
2. Similar action may be taken in respect of transfer of staff to the Divisional headquarter offices of newly created Divisions."

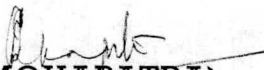
14. From the above, it is clear that the entire exercise was/is governed by well settled principles evolved by the Railway Board. No where the Applicants have disputed that they were ~~not~~ continuing in ex cadre posts. It is also not in dispute that the applicants were brought to the ECoRly Hqrs with the understanding that their continuance was for a fixed period.

15. Law is well settled in a plethora of judicial pronouncements that no employee can claim as a matter of right to be transferred to any other post/place nor the employees have any right to claim absorption in a deputed/transferred post. Absorption is subject to compliance of various parameters provided in the Rules. No material has been produced by the Applicants establishing their right to be absorbed. Rather the instructions relied on by the Respondents clearly provide that the applicants being the running staff can be retained in the ex cadre posts for three years and with the approval of the GM upto five years. While the applicants were continuing at the ECoRly Headquarters on option transfer, they were promoted in the Divisions where their lien was maintained which they have accepted without any demur. The Applicants claim parity with the employees who have been absorbed under Annexure-A/6

but it is the case of the Respondents that the applicants cannot claim parity with the persons who have been absorbed in Annexure-A/6 as they were not continuing in any ex cadre post either in their parent unit or in the ECoRly Hqrs. At the cost of repetition, it is mentioned that the Applicants were continuing on temporary transfer basis in the ECoRly in ex cadre posts and upon completion of their tenure they can have no claim to be absorbed and absorption of any other employee cannot give a right to the applicants to claim such absorption de hors the Rule. Meanwhile the applicants have been repatriated to their parent unit. Hence Respondents, if so required, are free to invite fresh options against the posts in which the applicants were continuing in the ECoRly Hqrs. However, we make it clear that in case the Applicants apply pursuant to the fresh notification, the Respondents should also consider the case of the Applicants along with others in accordance with Rules.

16. With the aforesaid observations and directions, these OAs stand disposed of. No costs.

  
(A.K. PATNAIK)  
Member (Judl.)

  
(C.R. MOHAPATRA)  
Member (Admn.)