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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 491 OF 2013
Cuttack, this the 26th day of July, 2013

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (J)
HON'BLE MR. R.C. MISRA, MEMBER (A)

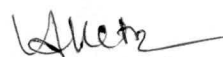
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1. Kedar Kumar Jena,
aged about 43 years,
Son of Late B.K. Jena,
At present working as Senior Clerk,
Resident of E/19/G, Rail Vihar,
Chandrasekharapur,
Bhubaneswar, Dist-Khurda, Odisha.
2. Akhya Panda,
aged about 43 years,
Son of Khetrabasi Panda,
At present working as Senior Clerk,
Resident of Block No.G,
Type-II, Kanchanjanga,
Bhubaneswar, Dist-Khurda, Odisha.
3. Niranjana Sathpathy,
aged about 46 years,
Son of Maheswar Sathpathy,
At present working as Senior Clerk,
Resident of E/24/G, Rail Vihar,
Chandrasekharapur,
Bhubaneswar, Dist-Khurda, Odisha.
4. Gadadhar Barik,
aged about 32 years,
Son of Bhagirathi Barik,
At present working as Senior Clerk,
Resident of Gadhakana, Mancheswar
Bhubaneswar, Dist-Khurda, Odisha.
5. Ramesh Chandra Gouda,
aged about 41 years,
Son of R.M. Gouda,
At present working as Senior Clerk,
Resident of Quarter No. F/12/F, Rail Vihar,
Chandrasekharapur,
Bhubaneswar, Dist-Khurda, Odisha.



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6. Niranjan Swain,
aged about 34 years,
Son of Late R.K. Swain,
At present working as Junior Clerk,
Resident of Nimapada,
Dist-Puri, Odisha.
7. Pradyumna Kumar Swain,
aged about 38 years,
Son of Kalandi Swain,
At present working as Senior Clerk,
Resident of GA-378, S. Vihar,
Bhubaneswar, Dist-Khurda, Odisha.
8. Ranjit Singh,
aged about 28 years,
Son of Mahinder singh,
At present working as Junior Clerk,
Resident of C-153/1, G.T.B. Nagar,
Kareli, Allahabad, Uttar Pradesh.
9. Tanmay Mandal,
aged about 27 years,
Son of B. Mandal,
At present working as Senior Clerk,
resident of At/P.O./Dist-Assansol,
West Bengal.
10. S.K. Mohapatra,
aged about 36 years,
Son of Sweta Kumar Mohapatra,
At present working as Junior Clerk,
Resident of Plot No.4/63/P, Gadhakana,
Bhubaneswar, Dist-Khurda, Odisha.
11. Ananta Kumar Rana,
aged about 36 years,
Son of B. Ranna,
At present working as Junior Clerk,
Resident of Quarter No.1/8,
Kanchanjanga, Railway Colony
Bhubaneswar, Dist-Khurda, Odisha.
12. S. Kanugo,
aged about 33 years,
D/o C. Rout,
At present working as S&WI,
Resident of Plot No.1608, Unit-IV,
Sastri Nagar, Bhubaneswar, Dist-Khurda, Odisha.



13. P. Ravi,
aged about 33 years,
Son of Ramulu,
At present working as Junior Clerk,
Resident of Quarter No. E/12/G, Rail Vihar,
Chandrasekharapur,
Bhubaneswar, Dist-Khurda, Odisha.
14. S.K. Paswan,
aged about 35 years,
Son of Ranjit Paswan,
At present working as O.S.,
Resident of Plot No.298, Sector-1, Niladri Vihar,
Chandrasekharapur,
Bhubaneswar, Dist-Khurda, Odisha.
15. Kishore Kumar Moharana,
aged about 41 years,
Son of Damodar Moharana,
At present working as Senior Clerk,
Resident of Plot No.LIG-27/2,
Chandrasekharapur,
Bhubaneswar, Dist-Khurda, Odisha.
16. G. Sanmukha Rao,
aged about 42 years,
Son of G. Applu Naidu,
At present working as Senior Clerk,
Resident of Quarter No. E/25/S, Rail Vihar,
Chandrasekharapur,
Bhubaneswar, Dist-Khurda, Odisha.
17. U. Regina Rao,
aged about 45 years,
D/o. P. Danial,
At present working as Senior Clerk,
Resident of Quarter No. E/2/G, Rail Vihar,
Chandrasekharapur,
Bhubaneswar, Dist-Khurda, Odisha.
18. Stephen Xess,
aged about 53 years,
Son of late Francis Xess,
At present working as Chief OS,
Resident of Plot No.14, Dasarathi Enclave, Jayadev Vihar,
Bhubaneswar, Dist-Khurda, Odisha.
19. Prafulla Kumar Sahoo,
aged about 51 years,
Son of Late Bhagaban Sahoo,
At present working as OS,
Resident of Gadhakana,



- Bhubaneswar, Dist-Khurda, Odisha.
20. Renubala Sahoo,
aged about 40 years,
D/o. Harihar Sahoo,
At present working as Senior clerk,
Resident of Rail Awas, Quarter No.4,
Type-II, Rail Kunj, Chandrasekharpur,
Bhubaneswar, Dist-Khurda, Odisha.
 21. P.S. Pradhan,
aged about 45 years,
Son of late S. Pradhan,
At present working as Chief OS,
Resident of Plot No.LIV-237, Dumduma,
H.B. Colony, Bhubaneswar, Dist-Khurda, Odisha.
 22. S.K. Dalabehera,
aged about 42 years,
S/o. Abhimanyu Dalabehera,
At present working as Senior clerk,
Resident of Quarter No.G/21/I, Type-III,
Mancheswar Railway Colony,
Bhubaneswar, Dist-Khurda, Odisha.
 23. S.K. Sahani,
aged about 41 years,
S/o. Sarat Chandra Sahani,
At present working as Senior clerk,
Resident of Quarter No.F/1,
Type-II, Rail Awas, Chandrasekharpur,
Bhubaneswar, Dist-Khurda, Odisha.
 24. S.N. Sahoo,
aged about 40 years,
S/o. Late P.C. Sahoo,
At present working as Senior clerk,
Resident of Quarter No.H/2,
Type-II, Rail Awas, Chandrasekharpur,
Bhubaneswar, Dist-Khurda, Odisha.
 25. R.C. Patra,
aged about 46 years,
S/o. Late M.D. Patra,
At present working as OS,
Resident of Plot No.767/769,
Jayadev Vihar,
Bhubaneswar, Dist-Khurda, Odisha.
 26. D. Majhi,
aged about 38 years,
S/o. Late Sunei Majhi,
At present working as OS,

Attested

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Resident of Quarter No.G-20/3,
Mancheswar Railway Colony,
Bhubaneswar, Dist-Khurda, Odisha.

- 27. Gourang charan Ghosh,
aged about 33 years,
S/o. Late Sripati Charan Ghosh,
At present working as Junior Clerk,
Resident of Plot No.1133,
Nayapalli, Bhubaneswar,
Dist-Khurda, Odisha.

All the applicants are working under Chief Personnel Officer, East
Coast railway, E.Co. R. Sadan, Chandrasekharapur, Bhubaneswar,
Dist-Khurda, Odisha

.....Applicants

Advocate(s) M/s. N.R. Routray, Smt. J. Pradhan,
T.K. Choudhury, S.K. Mohanty.

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Union of India represented through

- 1. The General Manager,
East Coast Railway, E.Co. R. Sadan,
Chandrasekharapur, Bhubaneswar,
Dist-Khurda.
- 2. Chief Personnel Officer,
East Coast Railway, E.Co. R. Sadan,
Chandrasekharapur, Bhubaneswar,
Dist-Khurda.
- 3. Workshop Personnel Officer,
Carriage Repair Workshop,
E. Co. Rly, At/Po-Mancheswar,
Bhubaneswar, Dist-Khurda.
- 4. Secretary, Railway Board,
Rail Bhawan, New Delhi-110001.

..... Respondents

Advocate(s)..... Mr. T. Rath



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O R D E R (ORAL)

MR. A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. N.R.Routray, Ld. Counsel for the applicants, and Mr. T.Rath, Ld. Standing Counsel appearing for the Railways, on whom a copy of this O.A. has already been served.

2. M.A. 523/13 for joint prosecution of this case is allowed subject to the payment of Rs. 50/- per applicant expect applicant No.1.

3. Now coming to this case, we find that the applicants, 27 in numbers, have challenged the order of merger of seniority unit of ministerial staff/inspectors cadre of WPO/CRW/MCS with the combined cadre of GA/Pers/Med of E.Co.R/HQ/BBS. Mr. Routray submitted that ventilating their grievances, applicants have made a combined representation to Respondent No.2, i.e. Chief Personnel Officer, E.Co.Rly., on 11.07.2013. Mr. Routray further submitted that E.Co. Railways Shramik Congress has also sent representation to Respondent No.2 vide its letter dated 18.07.2013.

4. Mr. T. Rath, Ld. Standing Counsel for the Railways, by drawing out attention to the date on which representation has been made submitted that as because the representation has only been submitted on 11.07.2013, this would be too premature by this Tribunal to direct the Respondents to consider the said representation as more likely the representation has not yet been considered because of the very small period of time from 11.07.2013 till date of filing of this O.A., i.e. 24.07.2013, that is hardly 13 days.

5. Taking into consideration the submissions made by the respective counsel for both the parties, we feel it proper to dispose of this O.A. Accordingly, at this stage, without entering into the merits of this case,

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we dispose of this O.A. by directing Respondent No.2, i.e. Chief Personnel Officer, E.Co.Rly., to consider the representation under Annexure-A/9 once it reaches him, and communicate the result thereof by way of reasoned and speaking order to the applicant No.1, to which Mr. Routray has no serious objection.

6. However, so far as interim prayer to stay the memorandum dated 01.07.2013 under Annexure-A/8 is concerned, we hope and trust that the Railway administration will not act upon subsequent to the said memorandum till disposal of the said representation.

7. With the aforesaid order and direction, the O.A. stands disposed of at the stage of admission itself.

8. As prayed for by Mr. Routray, Ld. Counsel for the applicant, copy of this order along with paper book be sent to Respondent No. 2 at the cost of the applicants. He undertakes to file the postal requisites by 30.07.2013.


MEMBER (Admn.)


MEMBER(Judl.)

RK