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**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK**

O. A. No.260/00865/ 2014

Cuttack this the 08<sup>th</sup> day of December, 2014

CORAM

THE HON'BLE MR.R.C.MISRA, MEMBER (ADMN.)

- 1- Jitendra Kumar Mohanty aged about 34 years, S/o Late Dhaneswar Mohanty, Qr. No. C-14/E, Railway Colony, PO College Square, Cuttack.
- 2- Pravakar Panda aged about 38 years, S/o Late Laxmidhar Panda, Qr. No. 90, Railway Colony, Puri-2.
- 3- Laxmidhar Barik aged about 34 years S/o Dhirendranath Barik At Patpur, PO Chatua, Distirct Jagatsinghpur.
- 4- Hadibandhu Bhatta, aged about 39 years, S/o Late Daitari Bhatta, Plot No. 347, Saheed Nagar, Bhubaneswar, District Khurda.
- 5- Raman Bisoi, aged about 40 years, S/o Late Bhikari Bisoi, Qr. No. 13/F, Railway Colony, PO Budheswar, Bhubaneswar, District Khurda.
- 6- Niranjan Das aged about 37 years S/o Late Hiralal Das, Railway Colony, Qr. No. E & T 106/1, PO Charampa, District Bhadrak.
- 7- Rabinarayan Senapati aged about 37 years S/o Late Gatikrushna Senapati, AT Jariput, PO Gudum, PS/District Khurda.
- 8- Bikal Chandra Behera aged about 35 years S/o Late Sudarsan Behera At/PO Naraj, Via Mundali Colony, District Cuttack.
- 9- G. Sankar Rao aged about 33 years S/o Late G. Gavaraya,
- 10- Narendra Prasad Sahoo aged about 39 years S/o Late Hadibandhu Sahoo At/PO Ramkrushnapur, Via Barpada, District Bhadrak.
- 11- Rasanada Khuntia aged about 44 years S/o Late Hari Khuntia At/PO Barada, District Dhenkanal.
- 12- Pankaj Pradhan aged about 40 years S/o Late Bamadev Pradhan At-Tarimi, PO Kalupadaghat, PS Tangi, District Khurda.
- 13- K. Chalpati Rao, aged about 39 years S/o Late K. Bandelu Qr. No. A-179/D Loko Colony, Near RPF Barak, Jatni, District Khurda.
- 14- Siba Kumar Barma aged about 40 years S/o Baisakhi Rao Qr. No. 744/C, Retang Colony, Jatni, District Khurda.
- 15- N. Laxmidhar Naidu, aged about 41 years, S/o Kedari, Vill. Ratanpur, PO Kuhudi, PS Tangi, District Khurda.



- 16- Jayadev Swain aged about 42 years, S/o Lochan Swain At/PO Asarala, PS Bolagada, District Khurda.
- 17- Ch. Srinivas Rao aged about 41 years, S/o Late Chinaswami Qr. No. 153/G Loko Colony, Jatni District Khurda.
- 18- Pradyumna Kumar Das aged about 39 years, S/o Late Hare Krushna Das, At/PO Jenapur, District Jajpur.
- 19- Pramila Sethi aged about 50 years W/o Late Sarat Chandra Sethi At/PO Kusunpur, Via Asureswar, District Kendrapara.
- 20- Niranjhar Kumar Behera aged about 41 years S/o Late Jogendranath Behera, Qr. No. 734/C Retang Colony, Jatni, District Khurda.
- 21- Jayakrushna Swain aged about 42 years S/o Late Rohit Kumar Swain, At Hata Road, PO Dhenkanal Railway Station, Dhenkanal.
- 22- Sk. Saukat, aged about 31 years, S/o Sk. Mubarak, Vill./Ward – Matha Sahi, Bhadrak.
- 23- Sura Mallick, aged about 31 years, S/o Charei Mallick, Vill. Panturi, PO Gadamadhpur, Via. Jenapur, District Jajpur.
- 24- Baishnab @ Baishnab Hati, aged about 48 yers, S/o Madhu Hati, Qr. No. C-14/E Railway Colony, PO College Square, Cuttack.
- 25- Laxmi Priya Bhutia, aged about 34 years D/o Late Hari Bhutia, Vill. Brundadeipur Sasan, PO / Via Jenapur, District Jajpur.
- 26- Harendranath Mahato, aged about 40 years, S/o Late Bhutnath Mahato, Qr. No. Type-I/5, DLS, Railway Colony, Angul.

All the applicants are at present working as Khalasi Helper-I under Senior DEE (G)/East Coast Railway / Khurda Road Division, At/PO Jatni, District Khurda.

...Applicant

(Advocate: Mr. N.R.Routray )

## VERSUS

1. Union of India represented through the General Manager, East Coast Railway, E. Co. R. Sadan, Chandrasekharpur, Bhubaneswar, District Khurda.
2. Chief Personnel Officer / E.Co.Rly., E.Co.R. Sadan, Chandrasekharpur, Bhubaneswar, District Khurda.
3. Divisional Railway Manager / E.Co.Rly. Khurda Road Division, At/PO Jatni, District Khurda.
4. Senior Divisional Personnel Officer / E.Co.Rly. / Khurda Road Division, At/PO Jatni, District Khurda.
5. Senior Divisional Electrical Engineer (G)/ East Coast Railway, Khurda Road Division, At/PO Jatni, District Khurda.

... Respondents

(Advocate: Mr. T. Rath )



**BY THE COURT :**

Heard Shri N.R.Routray, learned counsel for the applicants and Shri T. Rath, learned Standing Counsel for the Respondents.

2. Misc. Application No. 978 of 2014 seeking permission to jointly prosecute this OA is allowed and is thus disposed of.


3. Heard learned counsel for the applicants and Shri T. Rath, learned Standing Counsel for the Respondents on the question of admission.

4. Learned counsel for the applicants submitted that the surrender of posts that has been made by the Railway Organization, is in contravention of the instructions of the Railway Board. He has specifically challenged the order at Annex. A/5 in which, the order of redeployment of 77 staff has been issued by the respondents by submitting that the very categories of the work has been changed by this order. On the other hand, Shri T. Rath, learned standing counsel for the respondents submitted that according to Annex. A/5, <sup>it is</sup> only a provisional redeployment and final redeployment order will be issued after finalization of court cases. He also submitted that the lien and seniority of the applicants' will be maintained with the Power Group till issue of final redeployment order of all the surplus staff and, therefore, the applicants have not been prejudiced in any manner. However, I find that the applicants have made a representation to Divisional Railway Manager (Respondent No.3) raising their grievances and making a prayer that the decision to surrender the surplus staff and making a redeployment of the same, may be reconsidered by the authorities. This representation has been filed on 24.11.2014 and is pending with the concerned authorities.



5. At this stage, therefore, without entering into the merit of the case, I direct respondent No. 3 to consider and dispose of the representation as aforesaid, and communicate the decision thereon, through a reasoned and speaking order to the applicants within a period of 60 days from the date of receipt of a copy of this order. Shri Rath, submitted that in the meanwhile, some of the applicants have been relieved. However, it is ordered that till the representation is disposed of and decision communicated to the applicants', status quo, in respect of the applicants, as of date, shall be maintained.

6. As prayed for, by the learned counsel for the applicants, copy of this order along with the paper book, be sent to the respondents No. 2, 3, 4 and 5 by speed post at the cost of the applicants for which Sh. Routray to deposit the postal requisites by 9.12.2014. Free copy of this order be made over to learned counsel for both the sides.

  
(R.C.Misra)  
Member (A)