

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH, JODHPUR.

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Date of Order 06.1.1998

M.A.Nos.152,153,154,155,156,157,158 &amp; 159 of 1997.

1. Union of India, through General Manager, Western Railway, Churchgate, Mumbai.
2. Divisional Railway Manager, Western Railway, Ajmer.
3. ~~St.~~ Divisional Personnel Officer, Western Railway, Ajmer.

... Applicants in all the M.As.

versus

1. Shri Robert Field & 7 others in M.A. No. 152/1997
2. Shri Madan Lal 'R' & 17 others in M.A. No. 153/1997
3. Shri Champa Lal 'C' & 9 others in M.A. No. 154/1997
4. Shri Pukh Raj P. & 7 others in M.A. No. 155/1997
5. Shri Madan Lal R. & 17 others in M.A. No. 156/1997
6. Shri Champa Lal 'C' & 5 others in M.A. No. 157/1997
7. Shri Iqbal Khan & 14 others in M.A. No. 158/1997
8. Shri Chandermeni Pandey & 12 others in M.A. No. 159/1997

... Respondents.

Mr. S.S.Vyas, Counsel for the Applicants UOI &amp; others in all the M.As.

Mr. N.K.Khandelwal, Advocate, Brief Holder for Mr. M.S.Singhvi  
Counsel for the Respondents in all the M.As.CORAM:

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1. Hon'ble Mr. A.K. Misra, Judicial Member.
2. Hon'ble Mr. Gopal Singh, Administrative Member.

Per Hon'ble Mr. A.K. Misra

we have heard the learned counsels for the parties and gone through the M.As. In all these M.As. common question is involved, hence all these M.As. are disposed of by this common order.

By these Misc. applications, the applicants have sought

permission of the Tribunal to correct inter se seniority of the direct recruits of the years 1985 and 1987 as per the details shown in para No. 10 of the applications. On going through this aspect of the case, we find that the seniority position of few of the direct recruits shall be radically changed in comparison to the other direct recruits of the years 1985 and 1987 if the respondents are allowed to correct the interse seniority of the direct recruits.

Before us in different O.As., the Railway Board Circular dated 29.11.95 is under challenge which relates to the direct recruits. If that circular is ultimately held to be in consonance with the rules then the seniority of the various candidates i.e. the promotees and the direct recruits would be affected. Therefore, we do not consider it reasonable to allow the respondents to change the inter se seniority of the direct recruits at this stage while the main dispute is yet to be decided in the O.As. However, the respondents can be allowed to go ahead with the process of collecting the objections of the concerned persons in compliance of their letter dated 14.5.97 (Anx. A-1 in the M.A.). The objections of the persons mentioned in the aforesaid letter may be kept pending till final disposal of the original applications and the seniority of the direct recruits shall not be changed/disturbed till the final outcome of the O.As.

With the above observations, the M.As. are disposed of.

प्रमाणित

सत्य प्रतिलिपि

*Gopal Singh*  
(Gopal Singh)  
Administrative Member

*12/10/98*

*A.K. Misra*  
(A.K. Misra)  
Judicial Member

केन्द्रीय व्यायामीन द्रष्टिकरण

जोधपुर व्यायामीन, जोधपुर

Aviator/