

(9)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH,
J_O_D_H_P_U_R.

Dated of Order : 18.8.2000.

O.A. No. 334/1998

1. Northern Railway Mens Union through its Divisional Secretary, Shri D.K. Gaur S/O Sh. Laxmi Narayan, aged about 42 years, Guard, resident of Railway quarters near Guard running room, Bikaner.
2. Mahipal Singh S/O Shri Ratan Lal, aged 40 years, Station Master, Northern Railway, Bhagwansar railway station, resident of quarter No.T-5A, Railway Colony, Bhagwansar, Tehsil Suratgarh.
3. Vidhya Ram S/O Sh. Durjan, aged about 40 years, Assistant Station Master, Northern Railway, Bhagwansar Railway Station, Resident of Railway Quarter No.T-4-B, Railway Colony, Bhagwansar, Tehsil Suratgarh.
- Dogar Ram S/O Shri Bhura Ram, aged about 40 years, Assistant Station Master, Northern Railway, Bhagwansar Railway Station, R/O quarter No.T-4-A, Railway Colony, Bhagwansar.



... Applicants.

vs

Union of India through :-

1. The General Manager, Northern Railway, H.Q. Office, Baroda House, New Delhi.
2. The Chief Personnel Officer, Northern Railway, H.Q. Office, Baroda House, New Delhi.
3. The Divisional Railway Manager, Northern Railway, Bikaner Division, Bikaner.
4. The Senior Divisional Operating Manager, Northern Railway, Bikaner Division, Bikaner.

... Respondents.

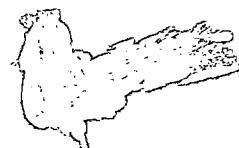
Mr. Y.K. Sharma, Counsel for the Applicants.

Mr. S. Jodha, Adv., brief holder for

Mr. Ravi Bhansali, Counsel for the Respondents.

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CORAM :

Hon'ble Mr. Justice B.S. Raikote, Vice Chairman

Hon'ble Mr. Gopal Singh, Administrative Member

O R D E R

(PER HON'BLE MR. GOPAL SINGH)

In this application under Section 19 of the Administrative Tribunals Act, 1985, applicants have prayed for quashing the impugned order dated 27.11.1998 regarding change of Classification from "continuous" to "Essentially Intermittent" of three posts of SS/ASM's on the ground that the change on the classification has been done by an incompetent authority.

2. In the counter, the respondents have denied the contentions of the applicants.

3. We have heard the learned Counsel for the parties and perused the records of the case.

4. This controversy had come up earlier before us in O.A. No. 219/94, decided on 18.4.2000, wherein it was held that the power vested in the General Manager has been delegated to the Chief Personnel Officer who has approved the classification as intermittent and it was within his competence to do so under the delegated powers. Accordingly, the said O.A. was dismissed.

5. For the detailed reasons recorded in our order dated 18.4.2000 in O.A. No. 219/94, this application is also dismissed, but with no order as to costs.

Gopal Singh
(GOPAL SINGH)
Adm. Member

B.S. Raikote
(B.S. RAIKOTE)
Vice Chairman

RECOPY

RK
24/8/2012

Rec'd
08/08/2012

Part II and III destroyed

In my presence on 24/8/2012
under the supervision of
Section Officer (J) as per
order dated 24/8/2012.

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Section Officer (Record)