

**CENTRAL ADMINISTRATIVE TRIBUNAL,
JODHPUR BENCH, JODHPUR.**

ORIGINAL APPLICATION NO. 161/2007

DATE OF ORDER: 01.08.2007

CORAM

**THE HON'BLE MR. KULDIP SINGH, VICE CHAIRMAN.
THE HON'BLE MR. TARSEM LAL, ADMINISTRATIVE MEMBER.**

1. Praveen Kumar Kachhwaha S/o Sh Shri Kishan Kachhwaha, aged about 34 years, r/o B-14, Sarasvatinagar, Basni, Jodhpur.
2. Rakesh Kachhwaha S/o Late Sh. Prithvi Singh Kachhwaha, aged about 33 years, r/o Kachhwahanagar, Nagouri Bera, Mandor, Jodhpur.
3. Mukesh Sharrma s/o Shri Jugal Kishore Sharma, aged about 38 years, r/o Plot No. 50, Outside Third Pole, Mahamandir, Jodhpur.

All the applicants are at present employed on the post of Loco Power Shunting, in the office of Senior Section Engineer, Loco, North Western Railway, Jodhpur.

...Applicants.

Mr. J.K. Mishra, counsel for applicants.

V E R S U S

1. Union of India through General Manager, North Western Railway, Jaipur.
2. Senior Divisional Personnel Officer, North Western Railway, Jodhpur.
3. Shri Iqbal Ahmed (2766) Sr. Assistant Loco Pilot, Jodhpur, employed in the office of Senior Section Engineer, Loco, North Western Railway, Jodhpur.
4. Shri Satya Narain (2886) Sr. Assistant Loco Pilot, Jodhpur, employed in the office of Senior Section Engineer, Loco, North Western Railway, Jodhpur.
5. Shri Liyakat Khan (2916) Loco Pilot Shunter Gr. I, Jodhpur, employed in the office of Senior Section Engineer, Loco, North Western Railway, Jodhpur.

...Respondents.

ORDER (Oral)

Per Hon'ble Mr. Kuldip Singh, Vice Chairman

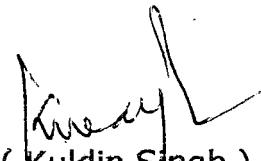
The applicants have filed this Original Application praying for a direction to the respondents to delete the names of Shri Iqbal



Ahmed (2766), Satya Narain (2886), Liyakat Khan (2916) (respondents No. 3 to 5) and Gulam Haidher (2483), from the impugned order dated 07.12.2006 (Annexure A/1) and in their place substitute the names of next senior most eligible and qualified candidates i.e. applicants herein etc. as the case may be, and allow all the consequential benefits.

2. Learned counsel for the applicants submitted that the applicants have made a representation to the respondent-department vide Annexure A/5 against the impugned order dated 07.12.2006 (Annexure A/1). However, there has been no response to the representation of the applicants. They have orally been told that there is no provision under the law to interpolate the name of such candidates. We find that at this stage it would be appropriate to direct the respondents to decide the representation at Annexure A/5 within a stipulated period. Accordingly, the O.A. is disposed of with a direction to the respondents to decide the representation (Annexure A/5) of the applicants by passing a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. After the decision on the above said representation of the applicants, if any grievance still survives, the applicants would be at liberty to approach this Tribunal.


 Tarsem Lal
 (Tarsem Lal)
 Administrative Member


 Kuldip Singh
 Vice Chairman

R/C
Simp. Ranishi (Ado)
8/8/07

No. 177 (018),
Dt: 10.8.07

Cart II and III destroyed
in my presence on 4-6-14
under the supervision of
Section Officer (I) as per
order dated 26.5.02-14.

Section Officer (Record)