

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.517/94

Friday, this the 30th day of June, 1995.

CORAM:

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR P SURYAPRAKASAM, JUDICIAL MEMBER

1. P Premalatha,  
Chief Clerk,  
Personnel Branch, Divisional Office,  
Southern Railway, Palghat.
2. PS Seenath,  
Chief Clerk, Personnel Branch,  
Southern Railway,  
Divisional Office, Palghat.
3. K Sreenivasan,  
Chief Clerk, Personnel Branch,  
Divisional Office,  
Southern Railway, Palghat. - Applicants

By Advocate Mr MR Rajendran Nair

Vs

1. Union of India represented by  
General Manager, Southern Railway,  
Madras-3.
2. The Chief Personnel Officer,  
Southern Railway, Park Town,  
Madras-3.
3. The Divisional Personnel Officer,  
Southern Railway, Palghat.
4. N Sasidharan Nair, Chief Clerk,  
Office of APO Court, Southern Railway,  
Ernakulam, Kochi-16.
5. PA Vasundharan, Chief Clerk,  
Personnel Branch, Railway Divisional  
Office, Palghat.
6. M Mohammed Kasim, Chief Clerk,  
Personnel Branch, Divisional Office,  
Palghat.
7. Chandrika Jayesankar, Chief Clerk,  
Personnel Branch, Railway Divisional  
Office, Palghat. - Respondents

8. KP Divakaran, Chief Clerk,  
Personnel Branch, Railway Divisional  
Office, Palghat.
9. A Thilakam, Chief Clerk, Office of the  
Divisional Security Commandant,  
Southern Railway, Olavakkode. - Respondents

By Advocate Mrs Sumathi Dandapani (for R.1 to 3)

By Advocate Mr Asok M Cherian (for R.4 to 8)

O R D E R

PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Applicants are Chief Clerks in the Southern Railway. While working as Head Clerks, by A2 order, they were alerted for the selection for the post of Chief Clerk. Feeling aggrieved by the selection, they approached the Tribunal in O.A-811/91 and the Tribunal directed (A13) applicants to make a detailed representation setting out their grievances to the General Manager, Southern Railway and the General Manager shall consider it with notice to respondents 4 to 9 and pass final orders. They made A14 representation. The Chief Personnel Officer representing the General Manager, passed the impugned order A1 by which the contentions of the applicants were rejected.

2. Applicants have challenged A1 order and have prayed for a fresh selection to be conducted for promotion for the post of Chief Clerks. One of the grounds of challenge is that the General Manager did not issue notice to the parties in

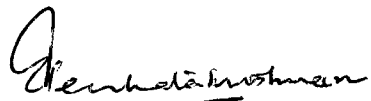
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accordance with the orders of the Tribunal. Learned counsel for respondents-Railways admits that no notice was given to respondents 4 to 9 in O.A-811/91. On that short ground, without going into the merits of the case, we quash the impugned order A1 and direct first respondent herein, the General Manager, to pass fresh orders in consonance with the directions of the Tribunal in O.A-811/91 within four months of today.

3. Original Application is disposed of as above. No costs.

Dated, the 30th June, 1995.

  
P. SURYAPRAKASAM  
JUDICIAL MEMBER

  
PV VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

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List of Annexures

- Annexure A1: True copy of the order No.P (GS)535/XII/PB/PGT dt. 8.3.1994, issued by the second respondent to the applicants.
- Annexure A2: True copy of the letter No.J/P 608/FI/Misc/Vol.III dated 19.02.1991 issued by the 3rd respondent to the applicants.
- Annexure A13: True copy of the order dated 4.10.93 in OA-811/91 of this Hon'ble Tribunal
- Annexure A14: True copy of the representation dated 25.10.93 together with enclosures submitted by the 2nd applicant to the General Manager, Southern Railway, Madras.