

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A. No.53/1999

Monday, this the 8th day of January, 2001

CORAM

HON'BLE MR A.M. SIVADAS, JUDICIAL MEMBER  
HON'BLE MR G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

Girija C, D/o Narayana Menon,  
Residing at "Ashtapadi", Vishnu Nagar,  
Puduppariyaram, employed as Head Clerk  
in the Office of the Senior Divisional Personnel Officer,  
Southern Railway, Palghat.

Applicant

By Advocate Mr Ashok M. Cherian

Vs.

1. Union of India represented by  
the General Manager,  
Southern Railway, Madras.
2. Additional Divisional Railway Manager,  
Southern Railway, Palghat.
3. Senior Divisional Personnel Officer,  
Southern Railway, Palghat.
4. Chief Personnel Officer,  
Southern Railway, Chennai.
5. T.K. Sivadas, Head Clerk,  
Personnel Branch,  
Southern Railway, Palghat.
6. N. Eswaran, Head Clerk,  
Personnel Branch (CCRC/O),  
Southern Railway, Erode.
7. K. Chamiar, Head Clerk,  
Personnel Branch,  
Southern Railway, Palghat.

Respondents

By Advocate Mrs Sumathi Dandapani for R 1-4

The application having been heard on 8.1.2001, the  
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.M. SIVADAS, JUDICIAL MEMBER

Applicant seeks the following reliefs.

"(i). Declare that reserving two vacancies for  
Scheduled Caste employees in the selection as per  
Annexure A1 is illegal and arbitrary;



(ii) Call for the records leading to the assessment of vacancies as shown in Annexure A1 and set aside the same;

(iii) Direct respondent No.3 not to fill 2 vacancies of Office Superintendents Grade II with Scheduled Caste employees as stated in Annexure A1 and to fill ii vacancies with unreserved candidates instead of 9 as stated in Annexure A1;

(iv) Direct respondents 1 to 4 to promote applicant as Office Superintendent, Grade II in Personnel Branch in preference to respondents 5 to 7;

(v) Issue any other orders, declaration or direction appropriate in the circumstances of the case."

2. When the O.A. was taken up, learned counsel appearing for the respondents submitted that in the light of the ruling of the Apex Court in Ajit Singh and others (II) Vs. State of Punjab and others [ (1999) 7 SCC 209 ] this matter is to be reviewed by the department.

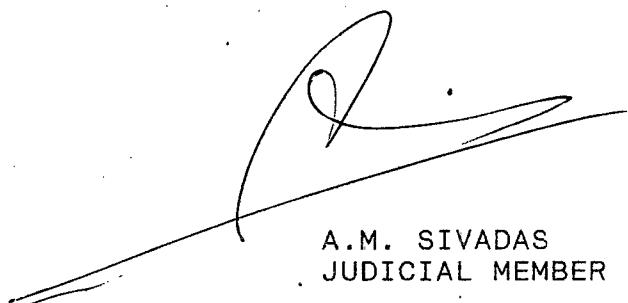
2. Accordingly, the respondents are directed to review the matter in the light of the said ruling of the Apex Court, within a period of three months from the date of receipt of a copy of this order.

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

Dated the 8th of January, 20001.



G. RAMAKRISHNAN  
ADMINISTRATIVE MEMBER



A.M. SIVADAS  
JUDICIAL MEMBER

LIST OF ANNEXURE REFERRED TO IN THIS ORDER

Annexure A1: True copy of letter No.J/P.608/VI/Misc./Vol.IV of the 3rd respondent dated 20.8.1998.