

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.535/93

Monday, this the 19th day of September, 1994

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

K Philipose,  
S/o Konithu,  
Welfare Inspector, Grade I,  
Divisional Office,  
Personnel Branch, Southern Railway,  
Trivandrum.

- Applicant

By Advocate Mr PV Mohanan

Vs.

1. The General Manager,  
Southern Railway,  
Park Town, Madras.

2. The Chief Personnel Officer,  
Southern Railway,  
Park Town, Madras.

- Respondents

By Advocate Mrs Sumathi Dandapani

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant, who commenced service as a Typist on 7.1.1965, became a Wireless Inspector Grade-III, Grade-II and Grade-I, on 10.11.1982, 4.3.1986 and 1.7.1989 in that order. On 12.7.1990, A1 notification was issued notifying 27 vacancies of Assistant Personnel Officers. A select list was drawn up. According to applicant, he ranks at serial 49 while those with lesser marks

..2...

and lesser service have been ranked above him. He would therefore say that the list was drawn up in an arbitrary fashion.

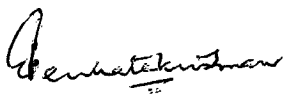
2. We find that applications had been filed before this Tribunal challenging the same selection. O.A.479/92 is one of those cases. The Bench which decided that O.A. referred to the case of the applicant also, and directed:

"..applicant and respondent-3 may make suitable representations to respondents 1&2 .. respondents 1&2 may revise their order in Annexure-2 in accordance with rules..."

Since on the same subject matter there is a direction, we see no justification in giving another direction of another character. Consistency is essential. We therefore direct the authorities who were directed to consider the matter(in O.A.479/92) to consider the grievances of applicant also. The competent authority will issue notice to persons who may have a claim or who may be affected by the decision to be taken before passing a final order.

3. Application is disposed of as aforesaid. No costs.

Dated, 19th September 1994.



PV VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)  
VICE CHAIRMAN

trs/19994

List of Annexures

Annexure-I

True copy of Notification No.  
CPO/MAS Letter No. P(G)/542/XII/APO  
dated 12.7.1990.