

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.170/99

Wednesday, this the 10th day of February, 1999.

CORAM:

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

1. M.Rajan,
S/o M.T.Madhavan,
Carriage & Wagon Khalasi Helper,
Southern Railway,
Ernakulam Junction.
2. T.S.Peethambaran,
S/o Sankunni,
Carriage & Wagon Khalasi Helper,
Southern Railway,
Irumpanam.
3. K.G.Sukumaran,
S/o Kochukunju,
Carriage & Wagon Khalasi Helper,
Southern Railway,
Irumpanam.
4. K.N.Appu,
S/o Nanukutty,
Carriage & Wagon Khalasi Helper,
Southern Railway,
Irumpanam.

- Applicants

By Advocate Mr TC Govindaswamy

Vs

1. The General Manager,
Southern Railway,
Headquarters Office,
Park Town.P.O.
Madras-3.
2. The Divisional Railway Manager,
Southern Railway,
Trivandrum Division,
Trivandrum-14.
3. The Senior Divisional Personnel Officer,
Southern Railway,
Trivandrum Division,
Trivandrum-14.

- Respondents

By Advocate Mr James Kurian

The application having been heard on 10.2.99, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

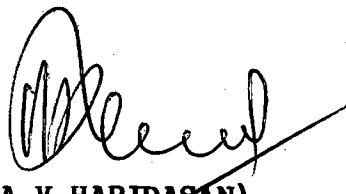
The applicants four in number originally borne in the Civil Engineering Department, were after screening absorbed in the Mechanical Department as Carriage and Wagon Khalasis against 10% annual intake with 50% seniority, in the year 1989. They were subsequently promoted as Khalasi Helpers in 1990. Their grievance is that in the provisional seniority list of Khalasi Helpers of the Mechanical Department, they have not been assigned their due placement probably, by not reckoning 50% of the seniority which they had carried along with them on transfer. Projecting this grievance against the placement in the provisional seniority list, the applicants had made representations to the D.P.O., Trivandrum(A-4 series). Finding no response to these representations, they made a joint representation to the Divisional Railway Manager(2nd respondent) on 20.1.98. Despite this their grievance remain unredressed. Therefore the applicants have filed this application for a declaration that they are entitled to carry 50% of their seniority in the Engineering Department in the cadre of Khalasis/Khalasi Helpers in the Mechanical Department and to direct the respondents to give them consequential benefits.

2. When the application came up for hearing, learned counsel on either side agreed that the application may be disposed of with a direction to the 2nd respondent to look into the grievance of the applicants projected in A-4 series and A-5 representation and to give them an appropriate reply within a reasonable time.

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3. In the light of what is stated above and as agreed to by the learned counsel on either side, I dispose of this application with a direction to the 2nd respondent to consider the grievances of the applicants projected in A-4 series and A-5 representation in regard to their seniority as reflected in A-3 provisional seniority list in accordance with the rules and instructions on the subject and to give the applicants an appropriate reply within a period of three months from the date of receipt of a copy of this order. No costs.

Dated, the 10th February, 1999.


(A.V. HARIDASAN)
VICE CHAIRMAN

trs/11299

LIST OF ANNEXURES

1. Annexure A3: True extract of seniority list issued under letter No.V/p.612/IV/C&W/Vol.5 dated 19.6.97 issued by the third respondent.
2. Annexure A4(a): True copy of representation dated 11.8.97 submitted by the first applicant to the third respondent.
3. Annexure A4(b): True copy of representation dated 10.8.97 submitted by the second applicant to the third respondent.
4. Annexure A4(c): True copy of representation dated 12.8.97 submitted by the third applicant to the third respondent.
5. Annexure A4(d): True copy of representation dated 10.8.97 submitted by the fourth applicant to the third respondent.
6. Annexure A5: True copy of the joint representation dated 20.1.98 submitted by applicants to the second respondent.

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