

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. No. 243 of 1996.

Friday this the 24th October, 1997.

CORAM:

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

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

1. K.A. Thomas, Diesel Khalasi (Electrical)
Diesel Loco Shed, Southern Railway,
Ernakulam.
2. K.Gangadharan, -do-
3. K.Sasidharan -do-
4. P.M. Varghese -do-
5. P.Krishnan Nair -do-
6. M.V.Vinodan -do-
7. S.Radhakrishnan Achari -do-
8. Xavier Joseph -do-
9. K.Ramakrishnan -do-
10. P.Prasad, Diesel Khalasi (Mechanical)
Diesel Loco Shed, Southern Railway,
Ernakulam.
11. P.R. Rajan, -do-
12. D.Samkutty -do-
13. M.Jayakumar, -do-
14. P.A. Baby -do-
15. P.Balachandran -do-
16. P.Vijayan -do-
17. A.Varghese Maman -do-
18. P.G. Thomas -do- ... Applicants

(By Advocate Shri T.A. Rajan)

Vs.

1. Union of India represented by the
General Manager, Southern Railway,
Madras.
2. The Chief Personnel Officer,
Southern Railway, Madras.
3. The Divisional Personnel Officer,
Southern Railway, Thiruvananthapuram.
4. M.K. Abdul Rahiman, Diesel Assistant,
Southern Railway, Ernakulam. .. Respondents

(By Advocate Shri Thomas Mathew Nellimoottil (for R.1-3)

(By Advocate Shri T.G.Govindaswamy (for R.4)

The application having been heard on 24th October, 1997
the Tribunal on the same day delivered the following;

O R D E R

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Applicants who are Diesel Khalisis are aggrieved that the posts of Diesel Assistants to which they aspire are being filled by persons like 4th respondent on the basis of transfer from other divisions. We find that filling up of vacancies available for direct recruitment by transfer from other divisions is permitted under the rules, and the prayer of the applicants to declare such filling up of vacancies illegal cannot be granted. We accordingly see no reason to interfere with the action taken by the respondents 1 to 3 in posting the 4th respondent, who is a Diesel Assistant in Palghat Division, to a vacancy of Diesel Assistant in Trivandrum Division by transfer. The application is without merit and it is dismissed.

2. We consider that the applicants have indulged in unnecessary litigation which merits award of costs. The applicants together shall pay costs of Rs.1000/- to 4th respondent and a cost of Rs.1000/- to the three departmental respondents together.

Dated the 24th October, 1997.


A.M. SIVADAS
JUDICIAL MEMBER


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER