

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.267/2001.

Thursday, this the 22nd day of March, 2001.

CORAM:

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

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

1. K.P.Antony,  
Office Superintendent Grade -II,  
Works Branch, Divisional Office,  
Southern Railway, Palakkad.
2. P.P.Narayanan,  
Office Superintendent Grade-II,  
Works Branch, Divisional Office,  
Southern Railway, Palakkad. Applicants

(By Advocate Shri T.A. Rajan)

Vs.

1. Union of India, represented by  
the General Manager,  
Southern Railway,  
Chennai-3.
2. The Chief Personnel Officer,  
Southern Railway, Chennai-3.
3. The Senior Divisional Personnel  
Officer, Southern Railway,  
Palakkad. Respondents


(By Advocate Shri James Kurien, ACGSC)

The application having been heard on 22.3.2001, the Tribunal on the same day delivered the following:

O R D E R

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

The applicants two in number who are Office Superintendents Grade-II in the Divisional office of the Southern Railway, Palghat, are aggrieved that the respondents have not revised the seniority of the applicants viz a viz reserved community candidates who were promoted to higher posts

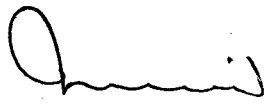


on roster points despite the fact that the ruling of the Apex Court in Ajit Singh and others Vs. State of Punjab and others 1999 7 SCC 209. Therefore, they have filed this application seeking for a declaration that the non-implementation of the decision of the Apex Court in the case of the applicants as illegal and a direction to the respondents to revise the seniority of the applicants and the reserved community candidates in A-1 in accordance with the decision of the Apex Court.

2. When the O.A. came up before the Bench for hearing the learned counsel on either side submitted that the application may now be disposed of directing the 3rd respondent to consider the representation submitted by the applicants A2 and A-3 and to give them an appropriate reply within a reasonable time.

In the light of the above submission of the learned counsel of the parties, we dispose of this application directing the 3rd respondent to consider the representation submitted by the applicants A2 and A3 in the light of the ruling of the Apex Court in Ajit Singh and others Vs. State of Punjab and others (1999 7 SCC 209) and to give the applicants a speaking order within a period of three months from the date of receipt of a copy of this order. No costs.

Dated the 22nd March 2001.

  
T.N.T. NAYAR  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN

LIST OF ANNEXURES REFERRED TO IN THE ORDER:

A-1: True extract of seniority list of ministerial staff of Civil Engineering Department as on 10.2.1995 issued by the 3rd respondent.

A-2: True copy of representation dated 25.10.2000 of the 1st applicant submitted to the 3rd respondent.

A-3: True copy of 2nd applicant's representation dated 17.8.2000 addressed to the 3rd respondent.