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OF C.A.T. (PROCEDURE) RULES

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. Nos. 1488/95, 85/97, 1551/95, 1599/95,
301/96, 648/96, 122/97 and 655/97.

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Wednesday this the 29th October, 1997.

CORAM:

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

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

O.A. 1488/95

G. Somanathan Nair,
Station Master,
Angadipuram Railway Station,
Angadipuram, residing at
Sreepadom, Perinthalmanna.
(By Advocate Shri MR Rajendran Nair)
Vs.

.. Applicant

1. The Union of India represented by
Secretary to Government, Ministry
of Railways, New Delhi.

2. The General Manager, Southern
Railway, Madras.

3. The Senior Divisional Personnel
Officer, Southern Railway,
Palakkad.

.. Respondents

(By Advocate Shri P.A. Mohammed)

O.A. 85/97

G. Somanathan Nair,
Station Master,
Angadipuram Railway Station,
Angadipuram, Chandramangalam
House, Keerikkad P.O.,
Mavelikkara.

.. Applicant

(By Advocate Shri M.R. Rajendran Nair)

Vs.

1. Union of India represented
by Secretary to Government,
Ministry of Railways, New Delhi.

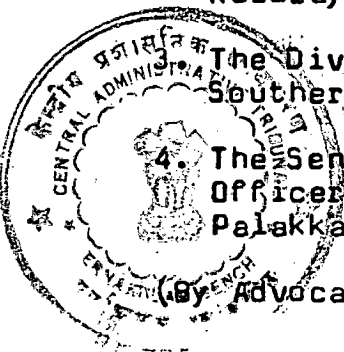
2. The General Manager, Southern
Railway, Madras.

3. The Divisional Railway Manager,
Southern Railway, Palakkad.

4. The Senior Divisional Personnel
Officer, Southern Railway,
Palakkad.

.. Respondents

(By Advocate Shri P.A. Mohammed)



D.A. 1551/95

1. V.V. Gopalakrishnan,
(Staff No. J/T-77),
Traffic Inspector,
Palghat Division of Southern
Railway, Cannanore, residing
at Quarter (Rly), Cannanore.

2. P.M. Ramakrishnan,
(Staff No. J-T/943), Station
Master Grade II, Tellicherry
Railway Station, Tellicherry.
residing at Railway Quarter,
Tellicherry.

.. Applicants

(By Advocate Shri P.V. Mohanan)

Vs.

1. Union of India represented by
Secretary to the Ministry of
Railways, New Delhi.

2. The General Manager, Southern
Railway, Madras.

3. The Divisional Railway Manager,
Palghat Division of Southern
Railway, Palghat.

4. The Senior Divisional Personal
Officer, Palghat Division of
Southern Railway, Palghat.

5. T. Balakrishnan, (Staff No. MT III/371),
Now working as Station Master-I,
Tellicherry Railway Station,
Tellicherry.

6. P.K. Francis, (Staff No. J/T 1874),
Now working as Station Master-II,
Kanjikode, Palghat.

.. Respondents

(By Advocate Shri P.A. Mohammed)

D.A. 1599/95

1. P.M. Balan
Chief Travelling Ticket Inspector,
Grade II, M.C/20, Anti Fraud Squad,
Southern Railway, Calicut, residing
at No.20/1247, Nirmalyam, Vadakara.

2. E.M. Balan,
Chief Travelling Ticket Inspector
Grade-II, B/C 981, General Section,
Southern Railway, Calicut, residing
at Elavanamarakkadath House,
Post Pantheerankavu, Calicut-19.

3. K.P. Muhammed Abdul Khader, J/C 369,
Chief Travelling Ticket Inspector
Grade II, Kerala/Mangala Section,
Palghat, residing at Nabghar West,
Kadengallore, Alwaye-2.

.. Applicants

(By Advocate Shri P.V. Mohanan)

...3/-



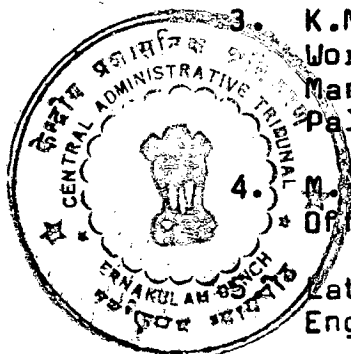
1. Union of India represented by the Secretary, Ministry of Railways, New Delhi.
 2. The General Manager, Southern Railway, Madras.
 3. The Divisional Personnel Officer, Divisional Office, Personnel Branch, Southern Railway, Palghat.
 4. A. Annadurai, J/C 377, Chief Travelling Ticket Inspector, Grade II, Sleeper Section, Coimbatore.
 5. S. Valusamy, J/M 310, Chief Travelling Ticket Inspector, Grade II, Sleeper Section, Southern Railway, Erode.
- .. Respondents
- (By Advocate Smt. Sumathi Dandapani)

O.A. 301/96

1. K. Harimohan, Head Clerk, Works Branch, Divisional Railway Manager's Office, Southern Railway, Palghat.
 2. P.K.Damodaran
Adiyodi, -do-
 3. N. Sivadasan, -do-
 4. C.Ramanibhai, -do-
 5. T.Sajana, -do-
 6. V.V.Sivakumar, -do-
 7. V.Venugopalan, -do-
 8. M.S.Santhosh Lal, Senior Clerk, -do-
- .. Applicants
- (By Advocate Shri P.V. Mohanan)

Vs.

1. Union of India represented by Secretary, Ministry of Railways, New Delhi.
2. The Divisional Personnel Officer, Divisional Office, Personnel Branch, Southern Railway, Palghat.
3. K.M. Bagyalakshmi, Head Clerk, Works Branch, Divisional Railway Manager's Office, Southern Railway, Palghat.
4. M. Swaminathan, Head Clerk, A.E.N. Office, Southern Railway, Palghat.
5. Latha Mallika Rao, Head Clerk, Assistant Engineer's Office, Southern Railway, Mangalore.
6. U.G. Vijayan, Head Clerk, PWI/W, PGT Office, Southern Railway, Palghat.



7. A. Sivakumar, Head Clerk, Works Branch,
Divisional Railway Manager's Office,
Southern Railway, Palghat.
8. T. Rajasree, Head Clerk, Works Branch,
Divisional Railway Manager's Office,
Southern Railway, Palghat.
9. Narayan Naik, Head Clerk, A.C.O.S. Office,
Divisional Office, Southern Railway,
Palghat.

.. Respondents

(By Advocate Smt. Sumathi Dandapani)

O.A. 648/96

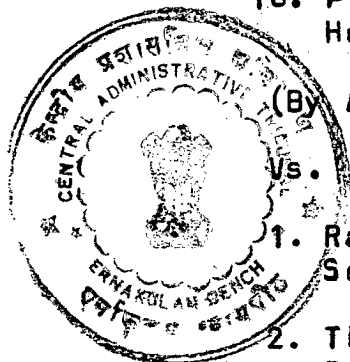
1. K.G. Muraleedharan,
Head Clerk, Divisional Office,
Southern Railway,
Palghat.
2. K. Remavathy,
Head Clerk, -do-
3. P. Mallika,
Head Clerk -do-
4. T. Chandrasekharan,
Head Clerk -do-
5. T. Meenakshikutty,
Head Clerk -do-
6. N.A. Margeret,
Head Clerk -do-
7. Annamma Philip,
Head Clerk -do-
8. C. Girija,
Head Clerk -do-
9. M.R. Venugopalan,
Head Clerk -do-
10. P.E. Viswanathan,
Head Clerk -do-

.. Applicants

(By Advocate Shri P.V. Mohanan)

vs.

1. Railway Board represented by its
Secretary, Rail Bhavan, New Delhi.
2. The Chief Personnel Officer, Southern
Railway, Park Town, Madras.
3. The Divisional Personnel Officer,
Palghat Division, Southern Railway,
Palghat.
4. E.K. Kunhircman, Chief Clerk,
Divisional Office, Southern
Railway, Palghat.

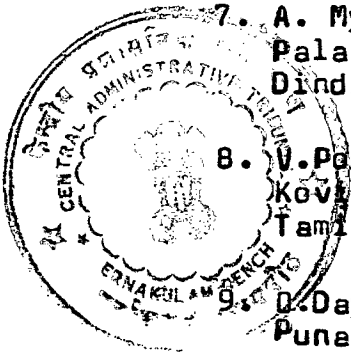


5. K. Pushpalatha, Chief Clerk,
Divisional Office, Southern
Railway, Palghat.
6. M.C. Ambika Sujatha, Chief Clerk,
Divisional Office, Southern
Railway, Palghat.
7. M.K. Leela, Chief Clerk, Palghat
Division, Southern Railway, Palghat.
8. N.A. Krishnan, Chief Clerk, Palghat
Division, Southern Railway, Palghat. .. Respondents

(By Advocate Smt. Sumathi Dandapani)

O.A. 122/97

1. K. Sureshkumar,
Station Master II,
Southern Railway, Thenmalai,
Madurai Division, residing at:
"Mandaram", Door No.25-D,
Sastrinagar South, Karamana,
Trivandrum. .. Applicant
(By Advocate Shri T.C. Govindaswamy)
Vs.
- 1.. Union of India represented by
the General Manager, Southern
Railway, Park Town P.O.,
Madras-3.
2. The Divisional Personnel Officer,
Southern Railway, Madurai
Division, Madurai.
3. Johnson Appadurai, Station
Master, II, Tirunelveli Railway
Station & Post, Tamil Nadu.
4. S. Rengarajan, Station Master, II,
Kulathur Railway Station & Post,
Via Manapparai, Tamil Nadu.
5. V. Paulraj, Station Master II,
Ottanchatram Railway Station & Post,
Dindigul District, Tamil Nadu.
6. K. Kalidoss, Station Master II,
Namanasamudram Railway Station &
Post, Via Karaikkudi, Tamil Nadu.
7. A. Mylevakanan, Station Master II,
Palani Railway Station & Post,
Dindigul District, Tamil Nadu.
8. V. Poovaiah, Station Master-II,
Kovvulpatti Railway Station & Post,
Tamilnadu.
9. D. Dayanidhibabu, Station Master II,
Punalu Railway Station & Post,
Kerala.



10. G. Ponnusamy, Station Master II,
Dindigul Railway Station & Post,
Tamil Nadu.
11. Mottaiyandi, Station Master II,
Kodaikkanal Road Railway Station,
Ammaiyanayakkanur P.O.,
Dindigul District, Tamil Nadu.
12. D. Selvamani, Station Master II,
Sivakasi Railway Station & Post,,
Tamil Nadu.
13. P. Chellamuthu, Station Master II,
Madurai Railway Station & Post,
Tamil Nadu.
14. R. Soundararajan, Station Master II,
Sivakasi Railway Station & Post,
Tamil Nadu.
(By Advocate Smt. Sumathi Dandapani)

.. Respondents

O.A. 655/97

K.G. Muralreedharan, Head Clerk,
Divisional Office, Southern Railway,
Palakkad, residing at Quarter No.211/B,
Railway Colony, Olavakkod.

.. Applicant

(By Advocate Shri M.R. Rajendran Nair)

Vs.

1. Union of India represented by
Secretary to Government, Ministry of
Railways, New Delhi.
2. The General Manager, Southern Railway,
Madras.
3. The Divisional Railway Manager,
Southern Railway, Palakkad.
4. The Divisional Personnel Officer,
Southern Railway, Palakkad.

.. Respondents

(By Advocate Smt. Sumathi Dandapani)

The applications having been heard on 29th October, 1997,
the Tribunal on the same day delivered the following:

O R D E R

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

When the matter came up for hearing today, learned
counsel for applicants submitted that the Railway Board
has since issued an order dated 21.8.97 in which detailed



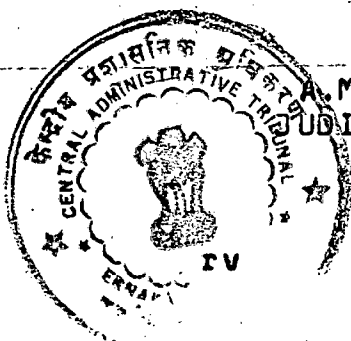
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instructions have been issued on how the Supreme Court's Judgement in RK Sabharwal Vs. State of Punjab (AIR 1995 SC 1371), Union of India and others Vs. Virpal Singh Chauhan and others (AIR 1996 SC 442) and J.C. Malik Vs. Union of India, 1978(1)SLR 844 are to be implemented. The grievance of the applicants will be crystallised after the implementation of these instructions and applicants will have to frame their grievances in an appropriate manner after the implementation of this order.

2. We, therefore, direct the respondent Railways to carry out the instructions in the circular of the Railway Board referred to above and draw the roster as directed therein within a period of three months and prepare a provisional seniority list on the basis of the revised roster. Applicants will thereafter be given adequate opportunity to represent if so advised against the provisional list drawn up in terms of the directions above. Respondent Railways will thereafter finalise the revised seniority list and communicate it to the applicants. Till this exercise is carried out the interim order already in force will continue.

3. If the applicants are aggrieved thereafter, they are at liberty to approach the appropriate authorities or judicial forum for their relief.

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

Dated the 29th October, 1997.



Sd/-
A.M. SIVADAS
JUDICIAL MEMBER

Sd/-
P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

CERTIFIED TRUE COPY

Date 6-11-97

[Signature]
Deputy Registrar