

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.343 of 1998.

Monday, this the 15th day of January, 2001.

CORAM:

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

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

1. T.Thangavelu,
Electrical Fitter,
Diesel/Southern Railway,
Erode.
2. M.Thangamuthu,
Electrical Fitter Grade-I,
Diesel/Southern Railway,
Erode Railway Station, Erode..
3. A. Gopinathan,
Electrical Fitter,
Diesel/Southern Railway,
Erode Railway Station, Erode.
4. N. Doraiswamy,
Electrical Fitter,
Diesel/Southern Railway,
Erode Railway Station, Erode.
5. P.Devendran,
Electrical Fitter Grade-I,
Diesel/Southern Railway,
Erode Railway Station, Erode.
6. J.Paul Rajendran,
Electrical Fitter Grade-II,
Diesel/Southern Railway,
Erode Railway Station, Erode. Applicants

(By Advocate M/s Santhosh and Rajan)

Vs.

1. Union of India through the
General Manager, Southern Railway,
Park Town, Madras.
2. The Divisional Personnel Officer,
Southern Railway, Palakkad.
3. The Divisional Railway Manager,
Southern Railway, Palakkad.
4. S. Vijayakumar,
Electrical Fitter,,
Diesel/Southern Railway, Erode.

5. S. Villavan Kothai,
Electrical Fitter Grade-III,
Diesel/Southern Railway,
Erode.
6. J. N. Stephen,
Electrical Fitter Grade-III,
Diesel/Southern Railway, Erode.
7. K. Thenarasu,
Electrical Fitter Grade-II,
Diesel/Southern Railway, Erode.
8. S. Selvamuthu Kumar,
Electrical Fitter Grade-II,
Diesel/Southern Railway, Erode.
9. T. Srinivasan
Electrical Fitter Grade-II,
Diesel/Southern Railway, Erode. Respondents

(By Advocate Shri James Kurian, ACGSC(R.1-3)

(By Advocate Shri TCG Swamy, (For R.4-6 & R.8 to 10)

The application having been heard on 15.1.2001, the Tribunal on the same day delivered the following:

O R D E R

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

The applicants filed this application jointly seeking to set aside Annexures A3, A-5 and A6 orders which according to the applicants are against the directions contained in judgement (A-2) and for a declaration that the seniority of respondents 4 to 10 only can be re-assigned over the applicants in terms of A-2 judgement and the applicants are entitled to continue as Grade-II Electrical Fitter without any reversion.

2. The respondents have filed a reply statement contesting the O.A.

3. When the application came up before the Bench for admission on 5.3.1998, an interim order was issued staying the reversion of the applicants from the post of Electrical Fitter Grade-II to that of Electrical Fitter Grade-III and the interim order is still now continuing.

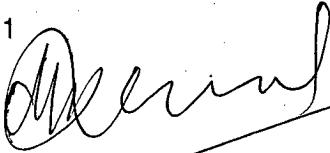
4. When the application came up for hearing today, the learned counsel of the applicants states that the applicants would be satisfied, if the respondents are directed to consider the representation (A-4) submitted by the 6th respondent and similar representations submitted by the remaining applicants and to give the applicants appropriate replies keeping the reversion of the applicants pending till an order is communicated to them.

5. Learned counsel of the official respondents has no objection in the O.A. being disposed of giving such a direction to dispose of the representations.

6. In the interest of justice, in the light of the submissions made by the learned counsel on both sides, the application is disposed of directing the 2nd respondent to consider the representation submitted by the 6th applicant (A-4) and similar representations submitted by the remaining applicants, if any, as expeditiously as possible. We also direct that till the orders on fresh representations are served on the applicant, they shall not be reverted from the post of Fitter Grade-II. No costs.

Dated the 15th January, 2001


T.N.T.NAYAR
ADMINISTRATIVE MEMBER


A.V.HARIDASAN
VICE CHAIRMAN

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LIST OF ANNEXURES REFERRED TO IN THE ORDER:

1. A-2: True copy of the judgement in O.A. No.609/95 dated 28.11.96 of the Hon'ble Central Administrative Tribunal.
2. A-3: True copy of the order No.J/P.612/V/DSL dated 9.5.97 issued by the 2nd respondent.
3. A-4: True copy of the representation dated nil submitted by the 6th applicant to the 2nd respondent.
4. A-5: True copy of the Memorandum No.J/P.612/V/DSL/Vol.IV dated 12.1.98 of the 2nd respondent.
5. A-6: True copy of the Memorandum No.GPB(A)4-DSL-19 dated 11.2.1998 of the Deputy Chief Personnel Officer/W/GOC, Central Workshops, Personnel Branch, Ponnmalai.