

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A. 1807/92  
O.A. 35/93

FREE COPY U/R 22  
OF C.A.T. PROCEDURE) RULES

Tuesday, the thirtieth day of November, 1993

MR. N. DHARMADAN MEMBER (JUDICIAL)

MR. S. KASIPANDIAN MEMBER (ADMINISTRATIVE)

1. K.S. Rajendrakumar  
Goods Driver, Office of the Loco Foreman (R)  
Southern Railway, Palghat
2. S. Kulathu Iyer, Goods Driver  
Office of the Chief Train Examiner  
Southern Railway, Calicut
3. K.M. Dasappan, Goods Driver  
Office of the Chief Train Examiner  
Southern Railway, Calicut

Applicants in  
O.A. 1807/92

By Mr. P. Sivan Pillai

vs.

1. The Asst. Personnel Officer (M&E)  
HQrs Office, Personnel Branch  
Southern Railway, Madras-3
2. The Chief Mechanical Engineer  
Southern Railway, Madras-3
3. The Divisional Personnel Officer  
Southern Railway, Palghat
4. The Divisional Personnel Officer  
Southern Railway, Trivandrum-14
5. N. Sankara Narayanan Goods Driver  
through the Divisional Personnel  
Officer, S.Rly, Trivandrum-14
6. S.S. Murugan Goods Driver, -do-
7. F. Sebastian Titus, Goods Driver, -do-
8. K.V. Mathew, Goods Driver, -do-
9. The Chief Personnel Officer,  
Southern Railway, Madras

Respondents in O.A.  
1807/92

By Mr. M.C. Cherian for R 1 to 4 & 9

J. Krishnan kutty, Goods Driver  
Office of the Carriage and Wagon Supervisor  
Southern Railway, Palghat

Applicant in O.A.  
35/93

By Mr. P. Sivan Pillai

vs.

1. The Chief Personnel Officer,  
Southern Railway, Madras-3
2. The Asst. Personnel Officer (M&E)  
HQrs Office, Southern Railway,  
Madras-3

3. The Divisional Personnel Officer  
Southern Railway, Palghat
4. The Divisional Personnel Officer  
Southern Railway, Trivandrum-14
5. K.V. Mathew, Goods driver,  
through Divisional Personnel Officer  
Southern Railway, Trivandrum

Respondents

By Mr. T.P.M. Ibrahimkhan for R 1-4

ORDER

N. DHARMADAN

Both these cases are heard together and disposed of by common order on the basis of consent of parties.

2. Today when the cases were taken up for final hearing, learned counsel for applicants submitted that the applicants have filed representations before the Chief Personnel Officer, Southern Railway, Madras.

3. Applicants are Goods Drivers working in the Palghat Division of the Southern Railway. They have been promoted as Loco Running Supervisors and posted them at Bangalore City as per the impugned orders Annexure A-5 in O.A. 1807/92 and Annexure A-3 in O.A. 35/93. Aggrieved by their posting at Bangalore without considering their representation for posting at Trivandrum Division, they have approached this Tribunal invoking our jurisdiction under section 19 of the Administrative Tribunals Act, 1985.

4. The learned counsel for applicants submitted that applicants are prepared to go and join at Bangalore pursuant to the impugned posting orders Annexure A-5 and A-3. It is further submitted that they have filed representations before the CPO, Madras for getting posting and transfer to the Trivandrum Division. These representations have not been disposed of so far. Hence, according to the learned counsel the applications can be disposed of with appropriate direction.

5. Accordingly, we record the submission of the learned counsel for applicants that they are prepared to join at Bangalore pursuant to Annexure A-5 and A-3 respectively. We direct the CPO, Southern Railway, Madras to consider the representations filed by the applicants and dispose of the same in accordance with law. This shall be done within the period of two months from the date of receipt of the copy of the order. It goes without saying that the applicants' right for fixation of proper seniority in accordance with law is left open to be agitated by the applicants separately if they are aggrieved by the same.
6. The applications are disposed of as above.
7. There shall be no order as to costs.

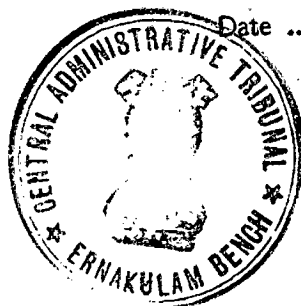
Sd/-  
(S. KASIPANDIAN)  
MEMBER (ADMINISTRATIVE)

Sd/-  
(N. DHARMADAN)  
MEMBER (JUDICIAL)

kmm

CERTIFIED TRUE COPY

Date ...13...12...93.....



Deputy Registrar

Rz  
13/12