

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O. A. No.  
~~XXXXXX~~

362 of  
1992

DATE OF DECISION 5.3.1992

K.K.Rathna Kumar and others Applicant (s)

Mr.P.Sivan Pillai Advocate for the Applicant (s)

Versus  
Union of India rep.by the General  
Manager, Southern Railway Respondent (s)  
Madras and others

Smt.Sumati Dandapani Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. S.P.Mukerji - Vice Chairman

and

The Hon'ble Mr. N.Dharmadan - Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? ✓
2. To be referred to the Reporter or not? ✓
3. Whether their Lordships wish to see the fair copy of the Judgement? ✓
4. To be circulated to all Benches of the Tribunal? ✓

JUDGEMENT

(Hon'ble Shri S.P.Mukerji,Vice Chairman)

We have heard the learned counsel of both the parties in this application in which the applicants <sup>who</sup> are erstwhile steam surplus staff absorbed as Khalasi Helpers in Trivandrum Division, <sup>are</sup> seeking the benefit of being sent for Diesel Assistant Course on the basis of the judgment of this Tribunal in O.A.257/90 dated 31.7.1991 at Annexure A.3.


2. The learned counsel for the applicants drew our attention to the representation which the first applicant had made at Annexure A2 dated 28.11.90, before the <sup>aforesaid</sup> judgment was passed. The learned counsel conceded that after the judgment, he did not submit any supplementary representation seeking the benefit of that judgment in support of his earlier

representation. Since the question of absorption of surplus staff on the one hand and direct recruitment of Diesel Assistants on the other hand as also redressal of the grievances of senior surplus staff who have already been absorbed in other units are interlinked and involve administrative discretion and balancing of various factors, we do not want to intervene in this application at this stage.

3. However, in the conspectus of facts and circumstances, we admit this application and dispose of the same with <sup>the</sup> direction that the applicants shall file supplementary representations seeking redressal of grievances, on the basis of the aforesaid judgment at Annexure.A3, within a period of two weeks from today and we also direct Respondent-3 to dispose of the first applicant's earlier representation dated 28.11.90 at Annexure A2 and similar representations if any filed by other applicants and further representations to be filed on the above lines, within a period of one month from the date of receipt of the further representations. The applicants will be at liberty to approach this Tribunal, if so advised, in accordance with law, if they are aggrieved with the outcome of these representations.

4. There is no order as to costs.

  
(N.D.HARMADAN)  
JUDICIAL MEMBER

  
5.3.92  
(S.P.MUKERJI)  
VICE CHAIRMAN

05-03-92