

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

Original Application No. ²⁰⁵~~200~~/2000.

Dated: 12.04.2000.

Mrs. Mary Kuriacose & Ors.

Applicant.

Mr. K. Shivaramakrishna

Advocate for
Applicant.

Versus

Union of India & Ors.

Respondent(s)

Mr. Suresh Kumarr

Advocate for
Respondent(s)

CORAM :

Hon'ble Shri Justice R.G.Vaidyanatha, Vice-Chairman,
Hon'ble Shri D.S.Baweja, Member (A).

- (1) To be referred to the Reporter or not?
- (2) Whether it needs to be circulated to
other Benches of the Tribunal?
- (3) Library?


(R.G. VAIDYANATHA)
VICE-CHAIRMAN

B.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.205/2000.

Wednesday, this the 12th day of April, 2000.

Coram: Hon'ble Shri Justice R.G.Vaidyanatha, Vice-Chairman,
Hon'ble Shri D.S.Baweja, Member (A).

1. Mrs. Mary Kuriacose,
2. Mrs.S.J.Peter,
3. Mrs. Chinnamma Mathew,
4. Mrs.A.D.Jadhav,
5. Mrs. Geeta C.Shinde,
6. Mrs. Kasturi Raghunathan,
7. Mrs. R.D.Chowdhary,
8. M.Abraham,
C/o. Dr.Babasaheb Ambedkar
Central Railway Hospital,
Byculla,
Mumbai - 8.

... Applicant.

(By Advocate Mr.K.Shivramkrishna)
Vs.

1. Union of India through the
Secretary to Govt. of India,
Ministry of Railways,
Railway Board,
Rail Bhavan,
New Delhi - 110 001.
2. The General Manager,
Central Railway, HQ,
Mumbai CST,
Mumbai - 400 001.
3. Divisional Railway Manager,
Mumbai Division,
Central Railway, CST,
Mumbai - 400 001.
4. Mrs. Lilly Ekka,
5. Samina Sheikh,
6. Iyesha Khan,
All Working as Matron Gr.II at
Dr.Babasaheb Ambedkar Central
Railway Hospital, Byculla,
Mumbai - 400 008.

... Respondents.

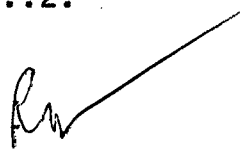
(By Advocate Mr.Suresh Kumar)

O R D E R (ORAL)

(Per Shri Justice R.G.Vaidyanatha, Vice-Chairman)

This is an application filed by the applicant
challenging the impugned seniority list dt. 6.12.1999 which is
at Ex. A-1 at page 18 of the paper book and the applicants have

...2.



also challenged the order of the Competent Authority dt.5.1.2000 rejecting the applicants representation dt. 14.12.1999. To day, when the case is called out for hearing regarding admission and interim relief, Mr.Suresh Kumar, the learned counsel for the official respondents 1 to 3 stated on instructions that the impugned seniority list dt. 16.12.1999 is only a draft and the department will prepare a fresh seniority list as per rules and that they will also reconsider the representation of the applicants as per rules and fresh decisions will be taken. Learned counsel for applicants submitted that fresh seniority list should be prepared on the basis of Law declared by Supreme Court in Ajit Singh's case reported in 1999 (7) SCC 209.

In the light of these submissions made at the Bar, we feel that the application can be disposed of with suitable directions.

2. In the result, the application is disposed of at the admissions stage with a direction to respondents not to act upon the impugned seniority list dt. 16.12.1999 and they should prepare a fresh seniority list according to rules. The respondents should also reconsider the applicants representation dt. 14.12.1999 and dispose of the same according to law and then prepare a fresh seniority list as per rules. All contentions on merits are left open. No order as to costs.


(D.S. BAWEJA)
MEMBER(A)


(R.G. VAIDYANATHA)
VICE-CHAIRMAN

B.