

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI
CAMP AT AURANGABAD

ORIGINAL APPLICATION NO:398/2000

WEDNESDAY the 5th day of DECEMBER 2001

CORAM: Hon'ble Shri S.R. Adgie, Vice Chairman

1. Rahim Khan Islam Khan
Residing at Agwala Chawl,
Qtr.No.264, Near Punjabi
Masjid, Bhusawal,
Dist. Jalgaon, Maharashtra.
2. Shaikh Mubin Shaikh Sultan,
Residing at Agwala Chawl,
Room No.K-273, Bhusawal,
Dist. Jalgaon, Maharashtra.
3. Ayub Khan Aliyar Khan,
Residing behind Seven Star
Video House, Dwarka Nagar,
Bhusawal, Jalgaon, Maharashtra.
4. Mahboob Beg Gulab Beg,
Residing at New Porter Chawl,
K-381, Near Bhusawal,
Dist. Jalgaon, Maharashtra.
5. Durga Prasad Ram Gopal,
Residing at Agwala Chawl,
K-269, Bhusawal,
Dist. Jalgaon, Maharashtra.
6. Naeem Khan Intaz Khan,
Residing at Agwala Chawl,
K-269, Bhusawal,
Dist. Jalgaon, Maharashtra.
7. Shaikh Bhiken Shaikh Amin
Residing at Chandmari Chawl,
Behind Akbar Touring Talkies,
Bhusawal, Dist. Jalgaon,
Maharashtra.
8. Arvind Balwant Dange,
Residing at Near Akbar Touring
Talkies, Bhusawal, Dist. Jalgaon,
Maharashtra.
9. Pramod Balwant Dange,
Residing at Near Akbar Touring
Talkies, Bhusawal, Dist. Jalgaon,
Maharashtra.
10. Bhanudas

10. Bhanudas Kautik Hatkar,
Residing at Agwala Chawal,
Room No.K-380, Bhusawal,
Dist. Jalgaon, Maharashtra.
11. Sunil Bandu Salunke,
Residing at Railway North Colony,
RB-II, 620-D, Bhusawal,
Dist. Jalgaon, Maharashtra.
12. Premnarayan Kaniram,
Residing at Agwala Chawl,
Room No.274, Near Hardwali Majid,
Bhusawal, Dist. Jalgaon, Maharashtra.
13. Salim Gaffar,
Residing at Juni Porter Chawl,
Room No.116, Bhusawal,
Dist. Jalgaon, Maharashtra.
14. Mahammad Ayaz Mahammad Idris,
Residing at Agwala Chawl,
Room No.274, Bhusawal,
Dist. Jalgaon, Maharashtra.
15. Ramjeevan Pralhad Damade,
Residing at Breakdown Chawl,
Room No.184, Bhusawal,
Dist. Jalgaon, Maharashtra.
16. Shyamlal Babulal,
Residing at C/o. Shivprasad
Babulal, Chandmari Chawl Room
No. RB-1, 726-E, Bhusawal,
Dist. Jalgaon, Maharashtra.
17. Ramzan Hamidullah,
Residing at Agwala Chawl,
Room No.284, Bhusawal,
Dist. Jalgaon, Maharashtra.
18. Rajesh Madhukar,
Residing at Agwala Chawl,
Room No.280, Bhusawal,
Dist. Jalgaon, Maharashtra.
19. Vijay Sonaji,
Residing at Agwala Chawl,
Room No.280, Bhusawal,
Dist. Jalgaon, Maharashtra.
20. Shaikh Ahmed Shaikh Bashir
Residing at Ghaspura, Naiabadi,
Kandwa, Maharashtra.

21. Bhagwat Aasaram,
Residing at 725, Chandmari
Chawl, Behind Police Chowky
No.7, Bhusawal, Dist. Jalgaon,
Maharashtra.

22. Sunil Rambhau Tapase,
Residing at Chandmari Chawl,
Near Akbar Touring Talkies,
Bhusawal, Dist. Jalgaon,
Maharashtra.

...Applicants.

By Advocate Shri S.S. Karkera for Shri M.S. Ramamoorthy

V/s

1. Union of India, through
the General Manager,
Central Railway, having his
Office in the Zonal Head
Quarters at C.S.T., Mumbai.

2. The Divisional Railway Manager,
Central Railway,
Divisional Office, Bhusawal,
Dist. Jalgaon, Maharashtra.

3. The Divisional Mechanical Engineer,
Central Railway, Divisional Office,
Bhusawal, Dist. Jalgaon,
Maharashtra.

4. The Divisional Personnel Officer,
Central Railway,
Divisional Office, Bhusawal,
Dist. Jalgaon, Maharashtra.

5. The Secretary,
Ministry of Railways,
Railway Board, Rail Bhawan,
New Delhi.

...Respondents.

By Advocate Shri V.D. Vadhavkar.

ORDER(ORAL)

¶ Per S.R. Adige, Vice Chairman¶

Shri S.S. Karkera proxy counsel for the applicant
prays for direction to list the case at Mumbai.

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2. The learned counsel for the respondents, Shri Vadhavkar has invited our attention to MA 762/2000 seeking deletion of Respondent No.1 (Railway Board) from the array of respondents. He states that applicant themselves have filed MA 650/2001 seeking amendment of the OA to enable the applicants to impugn various circulars issued by the Railway Board. Shri Vadhavkar submits that this MA has been filed after the pleadings have been completed in the OA.
3. If the applicants wants to impugn the relevant circulars of the Railway Board, it is only fit and proper that same should be made a part of the detailed pleadings, by filing a fresh OA to enable the respondents to reply to the same, and in turn give the applicant an opportunity to file rejoinder.
4. We also note that if the applicant seeks to challenge the relevant circulars of the Railway Board, this OA will have to be placed before a Division Bench and cannot be disposed of by this Single Bench.
5. In the interest of justice this OA is disposed of, without recording any findings on merits, giving liberty to the applicants to file a fresh OA to impugn the relevant circulars of the Railway Board they seek to challenge, to enable the OA to be properly adjudicated upon by a Division Bench.
6. The OA is disposed of accordingly, No costs.


(S.R. Adige)
Vice Chairman