
Date of Decision: 02.3.94.

OA 620/88

R.N. YADAV & 10 OTHERS* ... APPLICANTS.

Vs.

UNION OF INDIA & OTHERS ... RESPONDENTS.

CORAM:

HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

HON'BLE MR. O.P. SHARMA, MEMBER (A).

For the Applicants ... SHRI J.K. KAUSHIK.

For the Respondents ... SHRI MANISH BHANDARI.

PER HON'BLE MR. O.P. SHARMA, MEMBER (A).

Applicants R.N. Yadav and 10 others have filed this application u/s 19 of the Administrative Tribunals Act, 1985, wherein they have made the following directions :

- "1. That by an appropriate order/direction, respondents be directed to distribute/create posts of Guards (A) Special in Kota Division and Ratlam Division in proportionate to the number of Mail/Express trains running in to the geographical area of Kota Division vis-a-vis Ratlam Division.
2. That by an appropriate order/direction the respondents be further directed to allow the Mail/Express trains running in major portion of geographical area of Kota Division by Guards (A) Special of Kota Division.
3. That a direction may also be issued whereby all newly introduced Mail/Express trains as also holiday or other special trains (Mail/Exp.) passing through Kota-Ratlam Division be allotted to and worked by the Guards 'A' Special of Kota Division."

2. We have heard the learned counsel for the parties and have gone through the records. The substance of the case, as explained by the learned counsel for the applicants, is that the number of Guards moving with the trains in Kota Division is comparatively less than the number in Ratlam Division, having

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(M)

regard to the geographical spread of Kota Division. The result is that Guards from other divisions, particularly Ratlam Division man the trains when these pass through Kota Division. This affects the avenues of promotion for Guards in the Kota Division. The learned counsel for the applicants has invited our attention to a representation dated 7.9.87 (Annexure A-5) made by the Guards of Kota Division to the General Manager, Western Railway, in this regard.

3. On a careful consideration of the matter we find that it is essentially ^{a matter} which has to be resolved by the Administration. We cannot sit in the chair of the administrative authorities and decide what should be the number of Guards in a particular division and whether the Guards of one division should man the trains running through another division. It is expected that the Administration will examine this matter in detail, also in the light of the representation (Annexure A-5) submitted by the applicants and take an appropriate decision in the matter as early as possible.

4. With these observations the OA is dismissed with no order as to costs.

(O.F. SHARMA)
MEMBER (A)

(GOPAL KRISHNA)
MEMBER (J)