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Central Administrative Tribunal

HYDERABAD BENCH : AT HYDERABAD

O.A. No. 961/89.

Date of Decision :

T.A.No.

S.M.A.Rasheed & 4 others

Petitioner.

Shri P.Krishna Reddy

Advocate for the
petitioner (s)

Versus

Divisional Railway Manager(P),

Respondent.

South Central Railway, Vijaywada & 14 others

Shri N.R.Devaraj,
SC for Railways

Advocate for the
Respondent (s)

CORAM :

THE HON'BLE MR. J.Narasimha Murthy : Member(Judl)

THE HON'BLE MR. R.Balasubramanian : Member(Admn)

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 Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?
5. Remarks of Vice Chairman on columns 1, 2, 4
(To be submitted to Hon'ble Vice Chairman where he is not on the Bench)

HJNM
M(J)

HRBS
M(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.961/89.

Date of Judgment

12-3-91

1. S.M.A.Rasheed
2. B.Devadas
3. P.Edward
4. J.Reuben
5. N.Musalaiah

.. Applicants

Versus

1. Divisional Railway Manager(P), South Central Railway, Vijaywada.
2. Senior Divisional Personnel Officer, South Central Railway, Vijaywada.

3. L.V.Prasad.
4. E.Peter Babu.
5. K.Madhusudhana Rao.
6. P.Babu Rao.
7. P.Pitchaiah.
8. M.Siva Prasad.
9. J.Rajeswara Rao.
10. S.Rama Mohan Rao.
11. Ch.Papa Rao.
12. Ch.Sambasiva Rao.
13. A.Ramakrishna.
14. M.Prasad.
15. M.Dharma Rao.

Disd against

Respondents 3 to 7
Vide order dated
20-12-89 in O.A.961/89

.. Respondents

Counsel for the Applicants : Shri P.Krishna Reddy

Counsel for the Respondents : Shri N.R.Devaraj,
SC for Railways

CORAM:

Hon'ble Shri J.Narasimha Murthy : Member(Judl)

Hon'ble Shri R.Balasubramanian : Member(Admn)

I Judgment as per Hon'ble Shri R.Balasubramanian,
Member(Admn) I

This application has been filed by Shri S.M.A.

Rasheed and 4 others under section 19 of the Administra-

tive Tribunals Act, 1985 against the Divisional Railw-

Manager(P), South Central Railway, Vijaywada, the Senior Divisional Personnel Officer, South Central Railway, Vijaywada and 13 private respondents.

2. In this application, the applicants had prayed that the Respondents 1 and 2 be directed to publish the final seniority list of TXRs and hold suitability test on the basis of such seniority list and set aside the selections of the Respondents 3 to 7 as HTXRs and not to promote Respondents 8 to 15 as HTXRs. At the time of admission of this application it was held that the relief claimed against Respondents 3 to 7 was not maintainable and the application in respect of these respondents was dismissed. In respect of Respondents 8 to 15 it was ordered by way of interim orders that if promoted such promotion would be subject to the result of the main application. It was also ordered at the time of admission that it is open to the applicants to represent for proforma seniority against Respondents 3 to 7 if the main application is disposed of in their favour provided such representation was admissible under the rules.

3. The case came up for hearing ^{on 11-3-91} ~~today~~. The learned counsel for the applicants ~~also~~ wanted the application to be restricted only in respect of Applicants 1, 2 and 5. Vide their letter No.B/P.612/III/C&W/5/Vol.3/Seniority dated 22.3.90 the Divisional Railway Manager(Personnel), Vijaywada has published a provisional seniority list of TXRs. There are two notes suffixed to the provisional seniority list of 22.3.90. In note (1) covering the applicants it is stated that the adhoc TXRs have not b
P.S.
12th

To

1. The Divisional Railway Manager(P)
South Central Railway, vijayawada.
2. The Senior Divisional Personnel Officer,
South Central Railway, vijayawada.
3. One copy to Mr.P.Krishna Reddy, Advocate, CAT.Hyd.Bench
4. One copy to Mr. N.R.Devraj, SC for Rlys, CAT.Hyd-
5. One copy to Hon'ble Mr.J.Narasimha Murty, Member (J)CAT,Hyd.
6. One copy to Hon'ble Mr.R.Balasubramanian, Member (A)CAT.Hyd.
7. One spare copy.

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shown in the seniority list as the issue had been referred to Headquarters and a decision is awaited. It is also stated that as and when a decision is taken by Headquarters, their names would be interpolated in the seniority list at the appropriate place under advice to all concerned. It is now nearly a year since the ~~was~~ provisional seniority list ~~has been~~ published. Certainly ^{by now} the respondents ought to have taken a decision in respect of the note and effected the interpolation indicated. Since this is crucial and in case their seniority list has not so far been finalised we direct the respondents to take a decision on this aspect within four weeks of the receipt of this order. The applicants are given the liberty to agitate the matter, if they choose to, after finalisation of the seniority list.

4. The application is disposed of thus with no order as to costs.



(J. Narasimha Murthy)
Member (Judl).

R.B.alasubramanian
(R.Balasubramanian)
Member (Admn).

Dated

12th March 91 Deputy Registrar (Adm)



DRD
Tan
(W)

CHECKED BY

APPROVED BY

TYPED BY

COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR.B.N.JAYASIMHA : V.C.

AND

THE HON'BLE MR.D.SURYA RAO : M(J)

AND

THE HON'BLE MR.J.NARASIMHA MURTY:M(J)

AND

THE HON'BLE MR.R.BALASUBRAMANIAN:M(A)

Dated: 12-3-1991.

ORDER / JUDGMENT:

M.A./R.A./C.A. NO.

in

T.A. No.

W.P. No.

O.A. No.

Q61/89

Admitted and Interim directions
issued.

Allowed

Disposed of with direction

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected.

No order as to costs.

