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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH  
HYDERABAD BENCH

O.A.No.1369/93

Date of Order:1.11.93

Between:

- |                       |                    |
|-----------------------|--------------------|
| 1.Md.Haffizulla       | 16.P.Ramana        |
| 2.Sk.Abdul Khader     | 17.T.R.Naidu       |
| 3.K.S.Dorai Raju      | 18.K.Adinarayana   |
| 4.T.S.Ramakrishna     | 19.P.Koteswara Rao |
| 5.N.L.Dilip Kumar     | 20.Sk.Mastanvali   |
| 6.Md.Ali              | 21.K.Venkata Rao   |
| 7.G.Narasimha Rao     | 22.C.K.Selva Raj   |
| 8.J.S.S.Sarma         | 23.K.Prasad        |
| 9.P.W.S.Babu          | 24.Sk.Md.Khasim    |
| 10.D.Santha Raju      | 25.T.Youdha        |
| 11.V.Ramoji Rap       | 26.G.Manga Raju    |
| 12.V.Venkateswara Rao | 27.L.Chandra Rao   |
| 13.J.Venkateswara Rao | 28.M.Hrudaya Raj   |
| 14.Sd.Nazeer Ahmed    |                    |
| 15.Ch.Venkateswarlu   | .. Applicants      |

AND

- 1.The Senior Divisional  
Personnel Officer<sup>1</sup>BZA,  
South Central Railway,  
Vijayawada.
- 2.The Divisional Railway Manager,  
South Central Railway,  
Vijayawada.
- 3.The Assistant Personnel Officer,  
(Mech), S.C.Railway,  
Vijayawada.

.. Respondents

Counsel for the Applicants : Mr.B.G.Ravindra Reddy

Counsel for the Respondents : Mr.N.V.Ramana

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CORAM:

THE HON'BLE JUSTICE MR.V.NEELADRI RAO : VICE-CHAIRMAN

THE HON'BLE MR.R.RANGARAJAN : MEMBER (ADMN.)

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O.A.NO.1369/93

JUDGMENT

(AS PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMINISTRATIVE))

This OA has been filed with a prayer for a declaration that the action of the respondents in effecting promotion to the posts of Shunter basing on the provisional seniority list No.B/P.612/111/2/RG/Vol.VII, dated 18.6.1993 is illegal, arbitrary and consequentially to direct the respondents to <sup>prepare</sup> ~~final~~ seniority list <sup>after</sup> ~~after~~ considering objections and representations submitted by the applicants.

2. The applicants are all working as First Firemen under the respondents. They were originally appointed as Loco Khalasis and promoted as Engine Cleaners and thereafter promoted as Second Firemen in the years 1986, 1987 and 1988 on various dates. The provisional seniority list was issued by the respondents vide letter No.B/P.612/III/2/RG/Vol.VII, dated 18.6.1993 showing the seniority of Ist Firemen/Diesel Assistants/Electrical Assistants as on 1.5.93. Objections were called for by the same letter against the proposed issue of the seniority list. Last date for the same was noted as one month from the date of issue of the provisional seniority list. The applicants herein filed their objections which are yet to be disposed of. In the mean time, the learned counsel for the applicants stated that ~~xxxx~~ the respondents sought to promote the First Firemen to the higher grade on the basis of the provisional seniority list. He further stated that such promotions will cause prejudice to the applicants.

A  
contd....

2nd 18/9/93

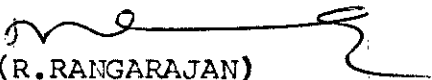
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.. 3 ..

3. We heard the learned Standing Counsel for the respondents, Shri N.V.Ramana. In view of the circumstances explained now, it is just and proper to pass the following order:-

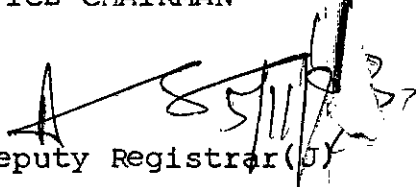
We direct the respondents to finalise the seniority list taking due note of the objections of the applicants and the other staff who have submitted their representations in response to the letter dated 18.6.1993. The seniority list on the basis of the above objections shall be finalised as expeditiously as possible. Till such time the seniority list is finalised, no promotions should be given on the basis of the provisional seniority list dated 18.6.93.

4. The OA is ordered accordingly at the admission stage. No costs.

  
(R.RANGARAJAN)  
MEMBER (ADMN.)

  
(V.NEELADRI RAO)  
VICE CHAIRMAN

DATED: 1st November, 1993.

  
Deputy Registrar(J)

To vsn

1. The Senior Divisional Personnel Officer, BZA, S.C.Rly, Vijayawada.
2. The Divisional Railway Manager, S.C.Rly, Vijayawada.
3. The Assistant Personnel Officer, (Mech.) S.C.Rly, Vijayawada.
4. One copy to Mr.B.G.Ravindra Reddy, Advocate, CAT.Hyd.
5. One copy to Mr.N.V.Ramana, SC for Rlys. CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

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