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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 1178/96

Date of Order : 23.9.98

BETWEEN :

1. N. Kumaresan
2. S. Paul Chandra Mohan .. Applicants.

AND

1. Union of India, rep. by General Manager, S.C.Rly., Secunderabad.
2. The Chief Personnel Officer, S.C.Rly., Secunderabad.
3. The Deputy Chief Mechanical Engineer, Carriage Repair Shop, S.C.Rly., Tirupathi.
4. The Workshop Personnel Officer, Carriage Repair Shop, S.C.Rly., Tirupathi.
5. J. Murali
6. B. Haribabu
7. K. Kodandarama
8. B. Srinivasulu .. Respondents.

Counsel for the Applicants

.. Mr. S. Ramakrishna Rao

Counsel for the Respondents

.. Mr. V. Bhimanna

CORAM :

HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

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O R D E R

(S) As per Hon'ble Shri R.Rangarajan, Member (Admn.) X

Mr.S.Ramakrishna Rao, learned counsel for the applicants and Mr.V.Bhimanna, learned standing counsel for the respondents. Notice has been served on R-5 to 8, called absent.

2. There are two applicants in this OA. The applicants ~~had~~ ~~were~~ opted to the artisan category in the carriage repair shop, Tirupathi. A seniority list was issued by memorandum dated 18.3.96 (A-2) by Carriage Repair Shop, Tirupathi. The applicants are aggrieved by that seniority list. Hence the applicant No.1 submitted a representation dated 24.4.96 (page-45) against the provisional seniority list. The applicant No.2 also submitted a representation dated 22.4.96 (page-46). Those appeals ~~had~~ been rejected by the impugned order No. TR/P-612/Art/Mech dated 25.5.96 (A-1). It is also stated in the reply that the seniority list was issued in accordance with the judgement of this Tribunal in OA.219/92 and hence there is no need to revise the impugned seniority list dated 18.3.96.

3. This OA is filed to set aside the impugned seniority list dated 18.3.96 and for a consequential direction to the respondents to prepare a seniority list as per extant rules following the mandatory provisions of para 302, Chapter III, IREM Vol.I and also a further direction to the respondents to follow the seniority list dated 29.1.94 for promotions until the new seniority list is published.

JL

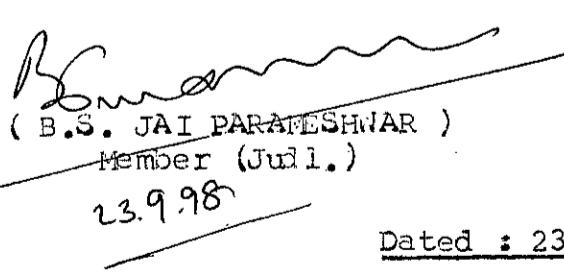
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4. The prayer and contentions in this OA are similar to the prayer and contentions raised in OA.624/96 which was disposed of on 21.8.98 and in OA.1369/96 which was disposed of on 2.9.98. Hence we follow the directions given in those OAs and direct as follows :-

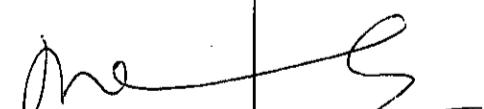
Respondent No.4 should fix up a meeting with the applicant on a mutually agreeable date to examine the issue as indicated in the judgement in OA.624/96 and prepare a note regarding the views of both sides. If there are no difference of opinion, the same shall be recorded. If there is difference of opinions/views then that note should be put up to Respondent No.2 for deciding the issue on the basis of the existing rules and as per the directions of this Tribunal given in earlier judgement which has been indicated concisely in the judgement in OA.624/96. In case it is found necessary for respondent No.4 to call Respondent No.5 to 8 also, he may issue notice to them also to attend the meeting.

5. With the above direction the OA is disposed of.

No costs.


(B.S. JAI PARAFESHWAR)
Member (Judl.)

23.9.98


(R.RANGARAJAN)
Member (Admn.)

Dated : 23rd September, 1998

(Dictated in Open Court)

sd


D.R.

Copy to:

1. The General Manager, South Central Railway,
Secunderabad.
2. The Chief Personnel Officer, South Central Railway,
Secunderabad.
3. The Deputy Chief Mechanical Engineer, Carriage Repair Shop,
South Central Railway, Tirupathi.
4. The Workshop Personnel Officer, Carriage Repair Shop,
South Central Railway, Tirupathi.
5. One copy to Mr.S.Ramakrishna Rao,Advocate,CAT,Hyderabad.
6. One copy to Mr.V.Bhimanna,Addl.CGSC, AT, Hyderabad.
7. One copy to O.R(A),CAT,Hyderabad.
8. One duplicate copy.

YLKR

23/10/98
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II COURT

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COMPILED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

AND

THE HON'BLE SHRI S.S. DAI PARAMESHWAR:
M(J)

DATED: 23/9/98

ORDER/JUDGMENT

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

in
C.A.NO. 1178/98

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

