

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 27/1 September, 2001

OA No.498/1995

Smt. Krishan Kanta w/o Shri Nand Lal r/o B-50, Anand Vihar, Railway Colony, Jagatpura, Jaipur presently posted as Chief Clerk in the Office of DRM, W/Rly, Jaipur

..Applicant

Versus

1. The Union of India through General Manager, Western Railway, Churchgate, Mumbai.
2. Divisional Railway Manager, Western Railway, Jaipur
3. Shri Rameshwar Dayal, Chief Clerk, Office of the Divisional Railway Manager, W/Rly, Jaipur.

.. Respondents

Mr. P.P.Mathur, counsel for the applicant

Mr. Hemant Gupta, Briefholder for Mr. M.Rafiq, counsel for the respondents

CORAM:

Hon'ble Mr.S.K.Agarwal, Judicial Member

Hon'ble Mr.A.P.Nagrath, Administrative Member

ORDER

Per Hon'ble Mr. A.P.Nagrath, Administrative Member

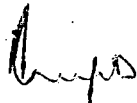
The controversy in this case revolves around the issue of determining seniority of an employee belonging to SC community vis-a-vis the general community employee and consequent right of promotion. The applicant, Smt. Krishan Kanta, belongs to SC community.

2. At the time of hearing it was admitted by the learned counsel on either side that the official respondents have taken steps to recast the seniority of the cadre of ministerial staff Group-C belonging to BWSM Unit, in the view of the judgments of Hon'ble the Supreme Court in Ajit Singh Januja-II and Jatinder Pal Singh. In a



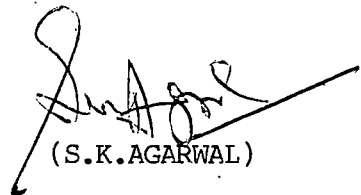
catena of cases after the general directions were issued by Hon'ble the Supreme Court in the above referred cases, the Tribunal has directed the department to recast the seniority list in terms of the guidelines enunciated by the Apex Court. On similar lines, orders were passed by this Bench of the Tribunal in a batch of applications on 29.3.2001. As a natural consequence of these developments, the respondents have initiated action and recast the seniority list and, therefore, this OA has become infructuous.

3. We, therefore, dispose of this OA as having become infructuous. However, if the applicant is aggrieved of the position assigned to her in her cadre in the recast seniority list, she is at liberty to move the appropriate forum, if so advised. No order as to costs.



(A.P.NAGRATH)

Adm. Member



(S.K.AGARWAL)

Judl. Member