

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 26th September, 2001

OA No.280/1996

Preetam Singh s/o Shri Bheem Das r/o Plot No.9, Sain Colony, Near Railway Station, 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 Ram Chandra, 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 1 and 2

Mr. Nand Kishore, counsel for respondent No.3

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

In this application the applicant has made a prayer that the seniority list dated 1.12.95/1.1.96 (Ann.A1) may be revised on the basis of the date of entry into the grade or on the basis of the date of promotion. The applicant belongs to SC community. The controversy revolves around determining the seniority of employees belonging to SC/ST community vis-a-vis general community candidates.

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 him in his cadre in the recast seniority list, he is at liberty to move the appropriate forum, if so advised. No order as to costs.

Amfo
(A.P.NAGRATH)

Adm. Member

S.K. Agarwal
(S.K. AGARWAL)

Judl. Member