

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

O.A. No. 28/2002
T.A. No.

199

May kindly see
17/12

Hon'ble VC
for

DATE OF DECISION _____

Stanis Laus Kamal & Anr. Petitioner

Mr. N.K. Gautam Advocate for the Petitioner (s)

Versus

Union of India & Anr. Respondent

Mr. U.D. Sharma Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. Justice G.L. Gupta, Vice Chairman

The Hon'ble Mr. A.P. Nagrath, Adm. Member

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 Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

(A.P. Nagrath)
Member (A)

(G.L. Gupta)
Vice Chairman

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 18/12/2002

OA 28/2002

1. Stanis Laus Kamal, Diesel Assistant under Loco Shed, Ajmer.
2. Raju Panchal, Diesel Assistant under Loco Shed, Ajmer.

... Applicants

Versus

1. Union of India through General Manager, W/Rly, Churchgate, Mumbai.
2. Divisional Rly Manager, W/Rly, Ajmer.

... Respondents

CORAM:

HON'BLE MR.JUSTICE G.L.GUPTA, VICE CHAIRMAN

HON'BLE MR.A.P.NAGRATH, ADM.MEMBER

For the Applicants

... Mr.N.K.Gautam

For the Respondents

... Mr.U.D.Sharma

O R D E R

PER MR.A.P.NAGRATH

The two applicants of this OA, named above, were working as Diesel Assistants when this application was moved by them. The relief prayed for by them is stated in following terms :

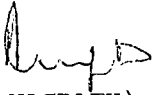
- "A) direct the respondents to revise the seniority list of Shunters as per prescribed course of action;
- B) direct the respondents not to pass promotional orders of Shunters without issuance of correct seniority list;
- C) Cost of the application may be awarded to the applicants."

2. It is apparent from the above that there is no specific order of the respondents against which the applicants are claiming relief. A reading of their prayer indicates that they are keen that the respondents rework the seniority of the cadre of Shunters. The locus standi of the applicants, who were Diesel Assistants, requesting for recasting of the seniority list of a cadre to which they do not belong is beyond our comprehension.

3. Having heard the learned counsel for the parties, we find that this application is totally misconcieved. It appears to us that the applicants were apprehensive that they may not be considered for promotion to the next higher grade of Shunter because the respondents were likely to promote SC/ST candidates even in excess of the quota reserved for them. It has been brought to our notice by the learned counsel for the respondents that this apprehension is totally misplaced as the applicants have already been

promoted as Shunters vide Annexure R/2. We find this order (Ann.R/2) is dated 22.1.2002 and this application was presented by the applicants on 11.1.2002. It is clear that their apprehension is without basis. The learned counsel for the applicants readily conceded that the applicants are not aggrieved with their promotion order.

4. In this background, we find the applicants have failed to make out any case even for our scrutiny much less for any direction to the respondents. This OA is, therefore, dismissed. However, there shall be no order as to costs.



(A.P.NAGRATH)

MEMBER (A)



(G.L.GUPTA)

VICE CHAIRMAN