

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

JAIPUR

Date of order: 10.04.2003

OA No.164/03

Jawahar Singh Choudhary s/o Shri Chiranjil Lal r/o 215/29,
Gulab Bari, Ajmer, presently posted at Sr. TIA, Ajmer-I,
Ajmer Railway Station.

OA No.165/03

Om Prakash Gaur s/o Shri Shanti Lal Gaur r/o 65 UIT Main
Scheme, Kotra, Ajmer, presently posted as Sr. TIA, Ajmer.

.. Applicants

VERSUS

1. Union of India through General Manager, Western
Railway, Churchgate, Mumbai.
2. The General Manager, North-Western Railway,
Jaipur
3. The Financial Adviser and Chief Accounts Officer
(Admn.), Western Railway, Churchgate, Mumbai.
4. Shri M.S.Panwar, Sr. TIA, C/o Dy. CAO (TA),
Office North-Western Railway, Ajmer.
5. Shri Akhilesh Sharma, Sr. TIA, C/o Dy. CAO (TA),
Office North-Western Railway, Ajmer.
6. Shri Pyare Lal Chauhan, Sr. TIA, C/o Dy. CAO
(TA), Office North-Western Railway, Ajmer.
6. Shri Vimal Sheel Rathore, Sr. TIA, C/o Dy. CAO
(TA), Office North-Western Railway, Ajmer.
8. Shri S.M.Vaishnav, TIA, C/o Dy. CAO (TA), Office
North-Western Railway, Ajmer.

.. Respondents

Mr. Ashok Gaur, counsel for the applicants

CORAM:

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HON'BLE MR. H.C.GUPTA, MEMBER (ADMINISTRATIVE)

HON'BLE MR. M.L.CHAUHAN, MEMBER (JUDICIAL)

O R D E R (ORAL)

In both the OAs, the applicants have ~~been~~ prayed for the following reliefs:-

- i) by an appropriate order or direction the order dated 31.3.2003 may kindly be quashed and set aside.
- (ii) by appropriate order or direction the Hon'ble CAT may be pleased to direct the Railway Administration to include name of the applicant in the list of Sr. TIA to be transferred from Western Railway to West-Northern Railway.
- iii) any prejudicial order is passed during the pendency of the OA, the same may be taken on record and after perusing the same may kindly be quashed and set aside.

2. Heard the learned counsel for the applicants.

2.1 He submits that the applicants are aggrieved of the order dated 31st March, 2003 (Ann.A6) whereby on formation of new zones, the applicants have been retained at Western Railway, although they opted for North-Western Railway while in Western Railway they were posted at Ajmer Division and belong to Ajmer. He also submits that junior to the applicants have been allotted North-Western Railway in preference to the applicants. He further submits that the applicants have not been relieved as yet. They have preferred representations dated 2.4.03 but they are forced to approach the Hon'ble Tribunal since at any time they may be relieved and they will be seriously prejudiced thereafter.

3. Without commenting on the merits of these cases,

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we feel that the representations of the applicants be first disposed of by the respondents. In the circumstances, these OAs are disposed of with the directions to the applicants to file fresh representations to the respondent No.3 with copy to respondent No.2 for information alongwith a copy of this order, within 15 days from today and by speed post to avoid delay. In that event, the respondent No.3 is directed to dispose of the representations of the applicants by a speaking order within 4 weeks from the date of receipt of the representations. It is further directed that in case the applicants comply with the above order, the status-quo with regard to service conditions of the applicants shall be maintained till disposal of their representations.



(M.L. CHAUHAN)

Member (J)



(H.O. GUPTA)

Member (A)