

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR**

Original Application No. 1153 of 2005

Jabalpur, this the 14th day of December, 2005

Hon'ble Shri M.P. Singh, Vice Chairman

Bharat Kumar Jeswani, S/o. Shri
R.C. Jeswani, aged about 39 years,
R/o. MIG-44-C, Ayodhya Nagar,
Bhopal (MP).

.... Applicant

(By Advocate – Shri V. Tripathi)

V e r s u s

1. Union of India, Ministry of Railway,
Through its General Manager, West
Central Railway, Jabalpur.
2. Divisional Railway Manager (P),
West Central Railway, Bhopal.
3. Bhuvneshwar Tripathi, C/o. Divisional
Railway Manager (P), West Central Railway,
Bhopal. Respondents

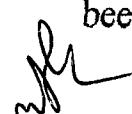
O R D E R (Oral)

Heard the learned counsel for the applicant.

2. By filing this Original Application the applicant has sought the following main relief :

"(ii) set aside the order dated 7.10.2005 Annexure A-1 and also the seniority list Annexure A-3,

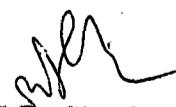
(iii) upon holding that the applicant is entitled to be placed over and above the private respondent in the said seniority list, command the respondents to place the applicant over and above the private respondent herein and provide him all consequential benefits. If in the meantime any promotions takes place, the applicant be directed to be considered from the same date when private respondent had been promoted with all consequential benefits."



3. The brief facts of the case are that the applicant is working as a Junior Engineer under the respondents Railways. As per the case of the applicant he is aggrieved by the seniority list issued by the respondents for the post of Junior Engineer Grade-I in 2005 at Annexure A-3. The applicant has submitted a representation to the Divisional Railway Manager, Bhopal but the same has been rejected vide letter dated 7th October, 2005 (Annexure A-1). Thereafter, the applicant has submitted an appeal to the General Manager, West Central Railway, Jabalpur on 7.12.2005 (Annexure A-5). The same is still pending for consideration. The learned counsel for the applicant has submitted that he will feel satisfied if directions are given to the respondents to consider and decide the said appeal of the applicant dated 7.12.2005, and till the same is decided the seniority list be not operated.

4. Accordingly, this Original Application is being disposed of even without issuing notices to the respondents by directing the respondent No. 1 to consider and decide the appeal of the applicant dated 7.12.2005 (Annexure A-5) by passing a speaking, detailed and reasoned order within a period of three months from the date of receipt of a copy of this order. It is made clear that the seniority list issued at Annexure A-3 will not operate till the decision is taken by the respondent No. 1 in the appeal of the applicant dated 7th December, 2005. The learned counsel for the applicant is directed to send a copy of this order as well as the copy of the petition to the respondent No. 1 immediately.

5. This Original Application has been disposed of without issuing notices to the respondents, as no adverse order is passed against the respondents.



(M.P. Singh)
Vice Chairman

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