

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT CAMP : GWALIOR

Original Application No.1049/2004

Gwalior, this the 6th day of December, 2004

Hon'ble Shri M.P.Singh - Vice Chairman
Hon'ble Shri Madan Mohan - Judicial Member

1. Babulal S/o late Shri Girdharilal,
aged about 44 years, T.R.S., New Katni,
R/o RB/1 Block No.156-B, S.K.P.Colony,
New Katni.
 2. Triyogi Prasad Tiwari, S/o late Shri Sheetla
Prasad Tiwari, aged about 50 years, TRS, New Katni.
 3. Rajendra Prasad Yadav, S/o Shri Inderdeo Prasad
Yadav, aged about 50 years, TRS, New Katni,
R/o R.B.-1, 319-E, TRS Colony, New Katni.
 4. Nandlal Prasad, S/o late Shri Kailash Prasad,
aged about 43 years, R/o RB 1, 10-A, Steam
Colony, New Katni.
 5. Basant Kumar s/o late Brajlal, aged about 52 years,
TRS, New Katni, R/o RB-1, 314 B, TRS Colony,
New Delhi.
 6. Rajendra Kumar S/o Shri Radhika Prasad,
aged about 45 years, TRS New Katni, RB 1-208 E,
TRS Colony, New Katni
- . APPLICANTS

(By Advocate-Shri Manoj Sharma on behalf of Shri S.Paul)

Versus

1. Union of India through G.M.W.C.Rly, Ministry of
Railways, Railway Board, New Delhi.
 2. General Manager, Western Central Railway,
Jabalpur.
 3. Divisional Railway Manager (P), Western Central
Railway, Jabalpur.
 4. Senior Divisional Electrical Engineer (TRS),
Electrical Loco-Shed, New Katni.
- RESPONDENTS

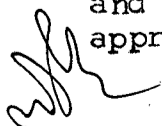
(By Advocate - O R D E R (Oral)

By M.P.Singh, Vice Chairman -

By filing this O.A., the applicants have sought
the following main reliefs -

"(2)...to quash the seniority lists (Annex.A/2 &
A/3) in which the names of the applicants are not
included.

(3)...to command the respondents to draw a fresh
seniority list in accordance with law by showing
and including the names of the applicants at the
appropriate place.



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(4) In the event of any further promotion is taken place in between, the applicants be considered for the same from the date of their juniors/contemporaries are promoted/appointed.

OR

In the alternative, this OA filed by the applicants may be disposed of at this stage with a direction to the respondents Department to decide the representations by a reasoned and speaking order before finalising any selection/promotion. If the applicants are still aggrieved, they reserve their right to assail the said decision afresh".

2. Heard the learned counsel for the applicants.
3. M.A.No.1032/2004 under Rule 4(5)(a) of CAT(Procedure) Rules,1987 for joining together is allowed.
4. The brief facts of the case are that the applicants, six in number, are working as Technician Grade-III. They are due for next higher promotion. The contention of the applicants is that their names have not been included in the seniority lists Annexures-A-2 & A-3 and, therefore, they would be excluded from the list of candidates being considered for the next higher grade. One of the prayers of the applicants is to direct the respondent-department to consider and decide the representations of the applicant at Annexure-A-4.
5. Accordingly, we direct the respondents to consider and decide the representations of the applicant at Annexure-A-4, and consider this O.A. as part of the representation and take a decision by passing a speaking, detailed and reasoned order within a period of three months, in any case before finalising the selection/promotion for the next higher grade.
6. The applicants are directed to send a copy of this order along with a copy of this OA to the respondents immediately.
7. In the result, the OA is disposed of in the above terms at the admission stage itself.

(Maden Mohan)
Judicial Member

(M.P.Singh)
Vice Chairman