

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 210 of 2004

Jabalpur, this the 25th day of March, 2004

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

Arvind Kumar Soni, S/o. Shri  
Govind Pd. Soni, Aged about 36  
yrs, Goods Guard, House No. 88,  
Dhobi-ghat, Ranital Chowk, Jabalpur.

Dinesh Chand Thakur, S/o. Shri  
Shanker Singh, Aged about 48 years,  
Goods Guard, Subhash Colony, Jabalpur. ... Applicants

(By Advocate - Shri S.N. Khare)

V e r s u s

Union of India,  
through General Manager,  
WCR Jabalpur.

Divl. Railway Manager,  
WCR Jabalpur. ... Respondents

O R D E R (Oral)

By M.P. Singh, Vice Chairman -

By filing this Original Application the applicants have  
sought the following reliefs :


- "(i) to declare the post of passenger guard as non-selection,
- (ii) to remove the unreasonable-ness, unjustifiability, unfairness and un-equity by re-casting the grades; as prayer for,
- (iii) to revive the eliminated post of superfast guard with the grade prayed for."

2. The applicants have claimed multiple reliefs which is not permissible under the rules. The relief No. (iii) claimed by the applicant does not flow from relief No.(i) and therefore the Original Application is not maintainable on the ground of multiple relief. Moreover the Tribunals or Courts cannot decide which post should be made selection post or non-selection post. It is the function of the employer and the expert

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body like the Pay Commission.

3. For the reasons recorded above the Original Application is dismissed as not maintainable.

  
(Madan Mohan)  
Judicial Member

  
(M.P. Singh)  
Vice Chairman

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प्रमाणित सं लो/व्या..... जयपुर, दि.....

सचिव/सहायक सचिव/...

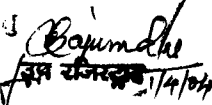
(1) सचिव/सहायक सचिव/...

(2) सचिव/सहायक सचिव/...

(3) सचिव/सहायक सचिव/...

(4) सचिव/सहायक सचिव/...

सूचना एवं आवश्यक कार्यवाही हेतु

  
14/4/04

SN Khare

Fussal  
1.4.04