

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR

Original Application No. 206/2002

Jabalpur, this the 24th day of June 2003.

Hon'ble Mr. D.C. Verma, Vice Chairman (J)
Hon'ble Mr. Anand Kumar Bhatt, Administrative Member

1. Mukul Sharma
S/o Late D.N. Sharma,
Age about 36 years, R/o 633,
Benjamin Ka Bada, West Ghampur,
Jabalpur
2. Rajendra Kumar Vishwakarma
S/o Late S.B. Vishwakarma,
aged about 43 years,
R/o Benjamin Ka Bada,
West Ghampur, Jabalpur

Both the applicants are voluntary Ticket
Collectors, Jabalpur Railway Station,
Central Railway, Jabalpur

APPLICANT

(By Advocate- Shri M.K. Verma)

VERSUS

1. Union of India,
Through; Chairman, Railway Board,
Rail Bhawan,
New Delhi
2. General Manager,
Central Railway, C.S.T.M.
Mumbai
3. Divisional Railway Manager,
Central Railway, Jabalpur Division,
Jabalpur

RESPONDENTS

(By Advocate - Shri S.P. Sinha)

O R D E R (ORAL)

By D.C. Verma, Vice Chairman (J) -

The applicants in the present Original Application have claimed for a direction be given to the respondents to absorb them in the Group-D post interms of judgment passed by the Hon'ble Apex Court and by this Tribunal. The learned counsel for the applicants,

has relied on the decision of the Apex Court in the case of Union of India & Ors. Vs. Sagar Chandra Biswas & Ors., decided by the Apex court in Civil Appeal No. 1015/1995 on 5th January 1995.

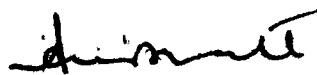
2. The brief facts of the case, as claimed in the original application, is that the two applicants were working as Voluntary Ticket Collectors and were appointed as such on 02/02/1984 and 11/12/1984 respectively. The applicants were discontinued by the Railway with effect from 17/11/1986. Against that the applicants filed OA's which has been decided alongwith other OA's vide order dated 6th July 1993.

3. In the present case the learned counsel for the respondents has today produced an order dated 14/01/2003, whereby the two applicants have already been appointed against Group-D vacancies. The learned counsel for the applicants also admitted that both the applicants have joined their posts in pursuance to the appointment. Consequently, the relief claimed in the present Original Application for appointment in the Group-D posts now does not survive.

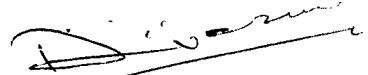
4. The learned counsel for the applicants submitted that the applicants case was for absorption, but they have been appointed vide order dated 14/01/2003 in Group-D vacancies. Further submission is that the applicant be given seniority with effect from the date of vacancy. That question, we would not like to touch as the relief claimed in this OA was for Group-D post and that has been redressed. If the applicants have any further grievance to this effect



it would be open to them to claim as per rules. So far as the present OA is concerned, after appointment of the applicants in Group-D, the grievances gets redressed. This original application stands decided accordingly.



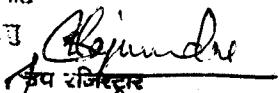
(Anand Kumar Bhatt)
Administrative Member



(D.C. Verma)
Vice Chairman (J)

पृष्ठांकन सं. ओ/व्या.....जगलपुर, दि.....
प्रतिलिपि आवेदितः—

- (1) सदित, डा. रमेशकाल वर एसोसिएट, जगलपुर
- (2) आमदानी विभागीय, जगलपुर
- (3) प्रस्तावी शोध विभाग, जगलपुर
- (4) विधायक, कांगड़ा, जगलपुर विधायकोत्तु

राज्यान्वयन एवं आवश्यक कार्यवाही विभाग

कृपा रजिस्ट्रर

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