

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 288 of 2001

Jabalpur, this the 13th day of May, 2004

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

Vijay Kumar Pandit
date of Birth 23.4.68
Asstt. Driver,
O/o Loco Foreman, Central
Railway, Bhopal Division,
Bhopal. and 14 Others.

APPLICANTS

(By Advocate - Shri S. Paul)

VERSUS

1. Union of India,
through its Secretary,
Ministry of Railways,
New Delhi.
2. The General Manager,
Central Railway,
Mumbai CST, Mumbai.
3. The Divisional Railway
Manager, Central Railway,
Bhopal Dn., Bhopal
4. The Sr. Divisional Personnel Officer
O/o Divisional Railway Manager,
Central Railway, Bhopal.
5. Shri Ajay Kumar Pandey,
Asstt. Driver,
O/o Loco Foreman, (Stream)
Itarsi Division, Central
Railway, Itarsi.
6. Shri Murlidhar Khade,
Asstt. Driver,
O/o Loco Foreman,
Itarsi Dn., Central Railway,
Itarsi.
7. Zakir Ali,
Asstt. Driver,
O/o Loco Foreman, Bhopal
Central Railway, Bhopal.
8. Shri Kulwant Singh
Asstt. Driver
O/o Loco Foreman, Bina Dn.,
Central Railway,
Bina.
9. Shri Manoj Awasthy,
Asstt. Driver,
O/o Loco Foreman, Bhopal Dn.,
Central Railway Bhopal

RESPONDENTS

1.1 Dhannalal Gurjar
S/o Bhagirath Gurjar,
aged about 32 years,
Loco Foreman,
Central Railway
Bhopal (M.P.)

INTERVENOR

(By Advocate - Shri M.N. Banerjee counsel for
respondents Nos. 1 to 4

Shri Manoj Sharma counsel for private
respondents Nos 5 to 9 and the intervenor)

O R D E R (ORAL)

By M.P. Singh, Vice Chairman -

By filing this OA, the applicants have sought
the following main reliefs :-

"(ii) Set aside the seniority list dt. 12.7.2000
(Annexure-A-1) 30.10.2000 Annexure A-4, and also
28.3.2001 Annexure-A-8.

(iii) Upon holding that the applicants are
entitled to be placed over and above the private
respondents, command the private respondents to
assign seniority to the applicants over and above
the private respondents by issuing the fresh
seniority list.


(iv) Set aside selection held pursuant to
notification dt. 15.1.2001, 5.2.2001, 27.3.2001
and 10.4.2001.

(v) Direct the respondents to conduct a fresh
selection directly inconsonance with the mandate
of IREM, rule and law.

(vi) Command the respondents to consider the
applicants also for the post of Goods Driver and
in the event of their selection assign their
seniority on the post of Goods Driver from the
date private respondents or similarly situated
employees were appointed/promoted with all
consequential benefits including seniority, arrears
of wages and other benefits.

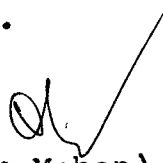
2. The brief facts of the case are that the applicants
are working as Assistant Driver under the respondent No.4
and also the private respondents No. 5 to 9 and the
intervenor are working as Assistant Driver under the
respondent No. 4. In this case the applicants have
claimed the seniority over the private respondents No.5
to 9 and the intervenor.

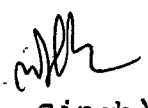
3. Heard the learned counsel for the parties.



4. In the facts and circumstances, we dispose of this OA at the admission stage itself by directing the applicants and private respondents Nos. 5 to 9 and the intervenor to submit their fresh detailed representations to the respondents within one month from the date of receipt of copy of this order. If the applicants as well as private respondents and intervenor comply with this order, the respondents are directed to consider their representations and take a decision within 3 months from the date of receipt of copy of this order by passing a detailed, reasoned and speaking order. No costs.

5. The Registry is directed to enclose a copy of the memo of parties of this OA while issuing a copy of this order.


(Madan Mohan)
Judicial Member


(M.P. Singh)
Vice Chairman

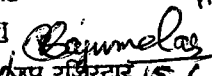
SKM

वृत्तांकन सं ओ/नं.....जबलपुर, दि.....

परिलिखित अर्पण :-

- (1) सचिव, उच्च न्यायालय नगर एडमिनिस्ट्रेशन, जबलपुर
- (2) आदेशक श्री/श्रीमती/शु.....को काउंसल S. Paul
- (3) प्रत्यक्षी श्री/श्रीमती/शु.....को काउंसल Mr. Banjan
- (4) न्यायाधीश, के.प्र.अ., जबलपुर न्यायाधीश M. Sharma

सूचना एवं आवश्यक कार्यवाही हेतु


जय रजिस्ट्रार 15.6.14


16.6.14