

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH

(CAMP OFFICE AT INDORE)

Original Application No. 566/2001

Indore, this the 15th day of April, 2004

Hon'ble Shri M.P. Singh - Vice Chairman
Hon'ble Shri Madan Mohan, Member (J)

Virendra Singh Yadav
Hd. Clerk Commercial Br.
Divl. Rly. Manager's Office
C/o Secretary
All India Equality Forum
69, PNT Colony, Laxmanpura,
Ratlam.

...Applicant

(By Advocate: Shri S.L.Vishwakarma)

-versus-

Union of India through

1. Chairman,
Railway Board, Rail Bhawan,
New Delhi - 110 001.
2. General Manager,
Western Railway,
Churchgate, Mumbai.
3. Divl. Rly. Manager,
Western Railway,
Ratlam - 457 001.

...Respondents

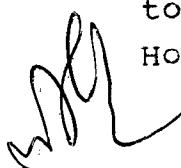
(By Advocate: Shri Y.I.Mehta Sr. Adv. with Shri Ravi Jain)

ORDER (ORAL)

By M.P.Singh - Vice Chairman

By filing the present Original Application, the applicant has sought the following relief:

- i) Quash the eligibility list for the post of O.S.II notified by DRM Ratlam on 23.7.2001 Annexure A/2.
- ii) To order the DRM, Ratlam to recast the seniority of General candidates vis-a-vis SC/ST according to the "Catch UP" principle laid down by the Hon'ble Supreme Court.



iii) The selection for the post of OS II initiated on 23.07.2001 Annexure A/2 should be stayed until revised seniority is notified.

2. The brief facts of the case are that the applicant has been working as Head Clerk at DRM's Office, Ratlam. Learned counsel for the applicant has submitted that an OA No. 75/2002 involving the identical issue has already been decided by this Tribunal on 12.11.2003 with the following directions:

"6. In the facts and circumstances of the case mentioned above, we dispose of this Original Applicant with a direction that the outcome of the pending SLP even regarding the services of the retired employees will be applicable in the instant case as well."

Learned counsel for the applicant also submitted that the present case is fully covered by the aforesaid decision of this Tribunal. Learned counsel for the respondents is in agreement with the contention of the applicant's counsel.

3. Since the present Original Application is covered in all fours with the judgement of this Tribunal rendered in OA No. 75/2002 passed on 12.11.2003, the direction given in that O.A. will mutatis mutandis be applicable in this case also.

4. With the above direction, the O.A. is disposed of. No costs.

(Madan Mohan)
Member (J)

(M.P.Singh)
Vice Chairman

/na/

पृष्ठांकन सं. ओ/न्या.....जबलपुर, दि.....

प्रतिनिधि नाम दिए.....

(1) साहिल, जनरल एसीएस, जबलपुर, जबलपुर

(2) रामेश्वर, एसीएस, एसीएस, जबलपुर

(3) दिव्यदीपी श्री/देवेन्द्र, एसीएस, कोकाउंसल

(4) विश्वेश्वर, एसीएस, एसीएस, कोकाउंसल

सूचना एवं आवश्यक कार्यकारी हेतु

SC. Vishweshwar

YI. Mehta

उप राजस्वाधार

Inteell
on
20/11/04