

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 839 of 1999

Jabalpur, this the 5th day of December, 2003

Hon'ble Shri M.P. Singh, Vice Chairman.  
Hon'ble Shri G. Shanthappa, Judicial Member.

Shri Narayan Kumar Srivastav,  
S/o. Shri BP Srivastav, Aged 38  
Years, R/o MAP/92/D West Railway  
Colony, Bhopal.

... Applicant

(By Advocate - Smt. S. Menon)

V e r s u s

1. Union of India,  
Through : General Manager,  
Central Railways, Chatrapati  
Shivaji Terminus (CST),  
Mumbai.
2. Shri KB Shankaran, General Manager,  
Central Railways, CST, Mumbai,  
Maharashtra.
3. Chief Personnel Officer,  
Central Railways, Personnel  
Branch, CST, Mumbai.
4. Divisional Railway Manager,  
Central Railways, Bhopal.
5. Promod Kumar Singh,  
Station Master, Jhansi.
6. Naresh Mishra, Head Clerk,  
Jhansi.
7. Jai Kumar Naidu, TCM 'A',  
Jabalpur, Jabalpur.
8. Ashok Kumar Jain, Sr. Clerk,  
Jhansi, Jhansi.
9. Upendra Kumar Singh, Good Guards,  
Jabalpur.
10. P-hilipose V Jhon,  
Adhoc Law Assistant,  
DRV Mumbai.
11. S A M Abidi, Adhoc Law  
Assistant.
12. Ms. Sarita Mhatre, Adhoc  
Law Assistant.

*Gs.*

13. VS Sisodia, Sr.  
Clerk, BPL.

(All through DRM Central  
Railways, Bhopal)

14. Shri NK Rajak, HSK Wed-II,  
CWM, Jhansi.

15. Ms Anirudha G. Wasnikar,  
MGM, Nagpur.

... Respondents

(By Advocate - Shri H.B. Shrivastava for official respondents  
on behalf of Shri S.P. Sinha)

O R D E R (Oral)

By G. Shanthappa, Judicial Member -

The said Original Application is filed seeking the relief directing the respondents Nos. 1 to 4 to revise the select panel and prepare a fresh panel by excluding the marks <sup>if</sup> given for seniority. It is further prayed that ~~it~~ on the basis of the revised list the applicant is empanelled then ~~it~~ be directed that the applicant be appointed as Law Assistant, by granting him all the service benefits from retrospective date and/or grant the relief to the applicant in terms of decision dated 15.03.1996 given by the Supreme Court in Civil Appeal No. 5085/1996 - M Ramjayram Versus General Manager, South Central Railways and others and followed by the Central Administrative Tribunal, Mumbai Bench in OA No. 503/1997 - Sima F Verma Vs. Union of India & Others. All the other reliefs are consequential benefits in pursuance to the said judgments.

2. The learned counsel for the respondents stated that the subject matter of this case is pending before the Hon'ble High Court of Madhya Pradesh at Jabalpur in WP No. 174/2001 and also a similar issue is pending before the Hon'ble Apex Court. In this respect the advocate for the applicant has submitted a certified copy of the order dated 29.07.2002 in

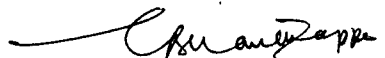


WP No. 174/2001, wherein the Hon'ble High Court has observed as under :

"Since the Apex Court is seized of the matter and Division Bench also says so in the order dated 20.02.02, propriety demands that we should not deal with the matter any further till Apex Court decided the matter before it.

In case the respondents want, they may approach the Apex Court."

3. Accordingly, this Original Application is disposed of with the observation that whatever the judgment/principles is laid down by the Hon'ble Apex Court in the subject matter related in this OA, the same shall be followed by the respondents. If the applicant is aggrieved by the order passed by the respondents in pursuance to the judgment of the Hon'ble Supreme Court, he can approach this Tribunal for redressal of his grievances. Hence the Original Application stands disposed of. No costs.

  
(G. Shanthappa)  
Judicial Member

  
(M.P. Singh)  
Vice Chairman

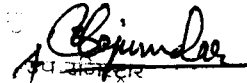
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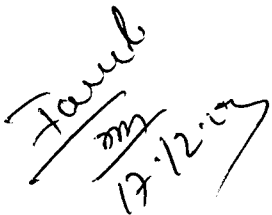
पूठांकन सं ओ/व्या.....जबलपुर, दि.....

चिलिपि तालिका.....

- (1) कतिपय अन्य व्यक्तियों को सूचित करने के लिए जबलपुर
- (2) आवेदन की प्रतिलिपि/प्रतिलिपि ..... के अध्यक्ष Smt. S. Menon, Ad
- (3) प्रतिलिपि/प्रतिलिपि/प्रतिलिपि ..... के अध्यक्ष HB Shrivastava, Ad
- (4) वास्तविक, कोषा, जबलपुर व्यापारी

सूचना एवं आवश्यक दस्तावेजों को

  
राजेंद्र

  
17.12.07