

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

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ORDERS OF THE BENCH

20.09.2011

OA No. 429/2008

Mr. C.B. Sharma, counsel for applicant.

Mr. V.S. Gurjar, counsel for respondent nos. 1 to 3.

Mr. Anupam Agarwal, counsel for respondent nos. 4 to 16.

At the request of learned counsels for the respondents, put up the matter for hearing on 28.09.2011.

Anil Kumar

(ANIL KUMAR)
MEMBER (A)

K.S. Rathore

(JUSTICE K.S. RATHORE)
MEMBER (J)

Kumawat

[Signature]
[Signature]

28/09/2011

OA 429/2008

Mr. C.B. Sharma, counsel for applicant.
Mr. V.S. Gurjar, counsel for respondent nos. 1 to 3.
Mr. Anupam Agarwal, counsel for respondent nos. 4 to 16.

Heard.

The O.A. is disposed of by a separate order on the separate-sheets for the reasons recorded therein.

Anil Kumar

[Anil Kumar]
Member (A)

K.S. Rathore
[Justice K.S. Rathore]
Member (J)

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORIGINAL APPLICATION NO. 429/2008

DATE OF ORDER: 28.09.2011

CORAM

**HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER**

Ajay Kumar Jain S/o Shri Pramod Kumar Jain, aged about 44 years, R/o 15-B, Ram Ganj, Ajmer, Assistant Personnel Officer, North Western Railway, Ajmer, and presently working as Assistant Secretary to the Railway Recruitment Board, Ajmer.

...Applicant

Mr. C.B. Sharma, counsel for applicant.

VERSUS

1. Union of India through General Manager, North Western Zone, North Western Railway, Jaipur-302006.
2. Railway Board through Secretary (E), Rail Bhawan, New Delhi.
3. General Manager, Western Railway, Church Gate, Mumbai.
4. P.K. Mathur, Assistant Personnel Officer (Gaz) NW Railway GM Office, Jaipur.
5. K.K. Singodia, Assistant Personnel Officer, NW Railway DRM Office, Bikaner.
6. G.L. Meena, Assistant Personnel Officer, Railway Claims Tribunal, Jaipur.
7. Smt. Sadhana Relia, Assistant Secretary / Confidential GM Office, NW Railway, Jaipur.
8. Mahesh Kumar Sharma, Assistant Personnel Officer, HQ NW Railway, GM Office, Jaipur.
9. Gangaram Meena, Assistant Personnel Officer, NW Railway Workshop Lalgah, Bikaner.
10. Satyendra Yadav, Assistant Personnel Officer, NW Railway DRM Office, Jaipur.
11. Jagdish Narayan Meena, Assistant Personnel Officer / RRC NW Railway Durgapura, Jaipur.
12. Pradeep Kumar Malik ADGM, NW Railway GM Office, Jaipur.
13. Dinesh Kaul, Assistant Personnel Officer, NW Railway DRM Office, Jaipur.
14. Chittarlal Meena, Assistant Personnel Officer / E&S Workshop Ajmer, NW Railway, Ajmer.
15. Rajendra Kumar Saroya, Assistant Personnel Officer, Railway DRM Office, Jaipur.
16. Narendra Kumar, Assistant Personnel Officer, Railway DRM Office, Ajmer.

...Respondents

Mr. V.S. Gurjar, counsel for respondent nos. 1 to 3.

Mr. Anupam Agarwal, counsel for respondent no. 4 to 16.

ORDER (ORAL)

The short controversy involved in the present Original Application is that the applicant has prayed for relief to direct the respondents to assign the seniority to the applicant over and above the private respondents by showing his name at Sl. No. 12 in the seniority list dated 02.01.2008 (Annex. A/1) i.e. above the respondent no. 4, and he has challenged the provisional seniority list dated 02.01.2008.

2. Learned counsel appearing for the private respondents submits that the said provisional seniority list dated 02.01.2008 has been finalized, whereas learned counsel appearing for the official respondents has not able to say whether the said provisional seniority list has been finalized or not.

3. Be that as it may, from the perusal of the pleadings and material available on record, we find that the representation / objection of the applicant against the said provisional seniority list is pending with the respondent-department for consideration, therefore; without entering into the merit of the case, we deem it proper to direct the respondents to take into consideration the objections made by the applicant prior to finalizing the seniority list, if the same has not been finalized so far, and the respondents are also directed to act strictly in accordance with the provisions of law. If the seniority list is finalized and the applicant is aggrieved by the final seniority



list, the applicant is at liberty to redress his grievances by way of filing a substantive Original Application.

4. With these observations and directions, this Original Application stands disposed of without entering into the merit of the case. There shall be no order as to costs.

Anil Kumar

(ANIL KUMAR)
MEMBER (A)

K.S. Rathore

(JUSTICE K.S. RATHORE)
MEMBER (J)

kumawat