

**Central Administrative Tribunal
Principal Bench**

**CP No.50/2017
In
OA No.2900/2012**

New Delhi, this the 6th day of April, 2018

**Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Ms. Nita Chowdhury, Member (A)**

1. Shri Sardar Singh, Aged about 44 years,
S/o Shri Kartar Singh,
Group "C" MTS, M/o Railways,
R/o H.No.14/168,
Panchkuyian Road,
New Delhi-1
2. Shri Jagdish Singh, Aged 47years,
S/o Late Shri Balvir Singh,
Group "C" MTS, M/o Railways,
R/o H.No.14/6, East Guru Angad Nagar,
New Delhi-92
3. Rakesh Kumar-2, Aged 45 years,
S/o Shri Sukhram,
Group "C" MTS, M/o Railways,
R/o Q.No.7907, Ram Nagar,
New Basti Paharganj, N.D.-55.
4. Ramchandar Maurya, Aged 43 years,
S/o Shri Ram Bodh Maurya,
Group "C" MTS, M/o Railways,
R/o Q.No.8/96, PK Road, N.D.-1.
5. Sanjay Narayan, Aged 48 years,
S/o Shri Laxmi Narayan,
Group "C" MTS, M/o Railways,
R/o Q.No.893/7, RK Puram,
New Delhi-22

...Applicants.

(By Advocate : Ms. K.B. Hina)

Versus

1. Shri R.K. Verma,
The Secretary,

Railway Board, Ministry of Railways,
Rail Bhawan, Raseena Road,
New Delhi-110 001.

2. Ms. V. Vaidehi,
Joint Secretary,
Railway Board, Ministry of Railways,
Rail Bhawan, Raseena Road,
New Delhi-110 001.
3. Shri Naval Kishore Sharma,
Under Secretary, (A)-IV,
Railway Board, Ministry of Railways,
Rail Bhawan, Raseena Road,
New Delhi-110 001.

...Respondents

(By Advocate : Shri Kripa Shankar Prasad)

ORDER (ORAL)

Mr. V. Ajay Kumar, Member (J) :-

The OA No.2900/2012 was disposed of by this Tribunal on 26.07.2016, as under :-

“11. We, therefore, allow the OA and quash the seniority list dated 13.07.2012, directing respondents to notify the seniority list according to their notification dated 2.02.2012, which is based on date of joining of Group `D` employees. The revised seniority list should be notified within a period of 90 days from the date of receipt of a copy of this order. The respondents are further directed to grant any promotion as LDC based on original seniority list and modify promotion order issued accordingly. No costs.”

2. Alleging non-implementation of the aforesaid orders, the applicants filed the present CP. The respondents filed a compliance affidavit enclosing various orders passed by them under the

purported compliance of the orders of this Tribunal. Shri Kripa Shankar Prasad, learned counsel, appearing for the respondents while drawing our attention to the seniority list dated 06.09.2017, submits that the same was issued strictly in compliance of the orders of this Tribunal and by virtue of the same, the applicant No.1 who was shown at Sl. No.391 at seniority earlier, now, shown at Sl. No. 202 and that following the said seniority list, they have given promotions to the applicants along with others and accordingly, prays for dismissal of the CP.

3. On the other hand, learned counsel for applicant submits that though the seniority of the applicants was improved in the latest seniority list but the respondents have included certain ineligible persons in the seniority list and thereby the applicants' rights are affected.

4. Admittedly, the objections made by the applicants, now, are against those persons who were not parties to the OA and it is not the case of the applicants that seniority list dated 06.09.2017 issued by the respondents in compliance of the orders of this Tribunal in the OA, was in any way against to any of the specific directions of this Tribunal.

5. In the circumstances and in view of the substantial compliance of the orders of this Tribunal, the CP is closed. Notices are discharged. However, if the applicants are still having any other grievances, they may avail their remedies, in accordance with law.

(Nita Chowdhury)
Member (A)

(V. Ajay Kumar)
Member (J)

‘rk’