

**Central Administrative Tribunal
Principal Bench**

OA No.3276/2013

New Delhi, this the 16th day of October, 2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

1. Ms. Hemlata Mathur (Aged about 52 years),
d/o Sh. Mukesh Mathur,
R/o 81/GF, Block-3, EROS Garden,
Suraj Kund Road, Faridabad.
2. Sh. Anand Vats (Aged about 38 years)
s/o Sh. Mange Ram Vats,
R/o V&PO Molahera Opp.
H.No. 1026, Sector 22B, Gurgaon.
3. Sh. Anil Kumar Pacuhari, (Aged about 56 years),
s/o Sh. N.P. Pauchari,
R/o B-111, Gandhi Colony, Faridabad.
4. Sh. Anish Kumar (Aged about 37 years)
s/o Sh. R.K. Gupta,
R/o 19/9, Rly. Colony, Delhi,
Kishan Ganj, Delhi.
5. Sh. Amit Kumar (Aged about 40 years)
s/o Sh. V.K. Divedi
R/o 4793/23, Ansari Road,
Darya Ganj, Delhi.
6. Sh. Chander Singh (aged about 47 years)
s/o Sh. Ram Singh
R/o C-28/E, Rly. Colony, Lajpat Nagar,
New Delhi.
7. Sh. Daya Ranga (Aged about 46 years)
s/o Sh. Jitram Nirwal
R/o D-12, Harbhajan Enclave
Pusa Road, New Delhi.
8. Sh. Devender Singh Gill (Aged about 34 years)

s/o Sh. Sisram Gill
R/o Vill. Ladawas, PO Kakroli Sardara,
Distt. Bhiwani.

9. Sh. Dharam Chand (Aged about 48 years)
S/o SH. Giani Ram
R/o 2512/2513, Housing Board Colony,
Sector 15, Sonipat.
10. Ms. Dipali Dabas (Aged about 34 years)
d/o SH. Ran Singh Shokeen
R/o 1921, Outram Lines,
Kingsway Camp, Delhi.
11. Sh. Harender Kumar (Aged about 50 years)
s/o Sh. Nathi mal
R/o 163, Naya Ganj, Khurja,
12. Sh. Jeet Ram (Aged about 53 years)
s/o late Sh. Budhi Ram
r/o B-69, Shyam Park Extn.,
Sahibabad, Ghaziabad.
13. Smt. Krishna Rawat (Aged about 40 years)
W/o Sh. D.S. Rawat,
D/o Sh. S.S. Negi,
R/o 202, A-3, Rly. Colony, Basant Lane,
Paharganj, New Delhi.
14. Sh. Manoj Kumar, (Aged about 40 years)
s/o Sh. Ram Harsh
R/o C-379, New Seemapuri, Delhi-95.
15. Ms. Meenakshi (aged about 41 years)
D/o Sh. Om Prakash,
R/o C-5/43, Sector 15
Rohini, Delhi-110089.
16. Sh. Raghubir Singh (Aged about 51 years)
s/o Sh. Makhan Singh
R/o 433, Sakti Khand-III.
17. Sh. Ramesh Chand (Aged bout 45 years)
s/o Sh. Mul Chand,
R/o RZ-1 Veer Nagar, West Sagarpur.

18. Sh. Naresh Kumar (Aged about 40 years)
s/o late Sh. Rajender Singh,
R/o A-19, MBA-II, Ramprastha Colony, Ghaziabad.
19. Ms. Nidhi Jhingan (aged about 48 years)
d/o late Sh. B.K. Rampal
R/o 18, Sahay Apartment,
Mayur Vihas, Phase-I, Delhi.
20. Sh. Nitin Gupta (aged about 39 years)
S/o late Sh. C.S. Gupta,
R/o H.No. 2354, Sec-7A, Faridabad.
21. Sh. Pradeep Kalsi (Aged about 43 years)
S/o Sh. A.S. Kalsi,
R/o 4/9, Rly. Colony, Delhi Kishanganj
Delhi.
22. Smt. Poonam Verma (Aged about 48 years)
w/o Sh. Y.K. Verma
R/o 374, Hauz Khas Aptt., Hauz Khas,
New Delhi-16.
23. Sh. Prem Chand (aged about 47 years)
s/o late Sh. M.C. Kanojia
R/o C-114, Indupuram Colony,
Mathura (UP).
24. Sh. Rajni Kadyan (Aged about 38 years)
s/o Sh. Krishan Kumar
R/o 8-E, Central Place, New Delhi.
25. Sh. Rajveer Singh (Aged about 49 years)
s/o Sh. Ganga Ram,
r/o 20/549, Nai Basti, Bahadurgarh
26. Sh. R.K. Sikka (aged about 50 years)
s/o Sh. Hemraj Sikka
R/o J-56 (UG-II), Vijay Chowk, Laxmi Nagar,
Delhi-110092.
27. Sh. Rakesh Nautiyal (Aged about 39 years)
s/o Sh. Shobha Ram
R/o C-31C, Lajpat Nagar,
Rly. Colony, New Delhi.

28. Sh. Ram Prakash Harit (Aged about 50 years)
s/o Sh. Lakhi Ram,
R/o 1/4316-B, Ambedkar Nagar, Delhi.
29. Sh. Anirudh Chaudhary (Aged about 37 years)
s/o Sh. P. Chaudhary,
R/o Central Place, Bengali Market, New Delhi.
30. Sh. Ravinder Kumar (Aged about 52 years)
S/o late Sh. Ram Chand,
R/o N-3/28A, Mohan Garden,
Gurudwara Road, Uttam Nagar, New Delhi.
31. Smt. Sangeeta Dang (Aged about 32 years)
W/o Sh. Sunil Dang,
D/o Sh. M.L. Sapra,
R/o S/4-10, Old Mahavir Nagar,
Tilak Nagar, New Delhi.
32. Smt. Sanju Saklani (aged about 38 years)
w/o Sh. Shailendra Saklani
D/o Lt. Mohan Lal Bhatt,
R/o S-539, Harsh Bhawan, Phool Block,
Shakarpur, Delhi – 92.
33. Sh. S. Nalini (aged about 46 years)
s/o Sh. Ramani,
R/o B-66, Airport Apptts.
Vikaspuri, New Delhi-18.
34. Sh. Sundeep Chandra (Aged about 39 years)
s/o Sh. Jai Chandra
R/o B-2B/253, Janakpuri, New Delhi-58.
35. Ms. Sunita (aged about 50 years)
D/o Sh. Hari Chand,
R/o 2048/1, Tilak Chowk,
Malka Ganj, Delhi.
36. Sh. Tej Pal Singh, (Aged about 47 years)
s/o SH. Kewal Ram
R/o Flat No. C-7B, GF Parsvanath Paradise
Ghaziabad.
37. Ms. Vandana Atre (aged about 42 years)
D/o Sh. Prashant Atre,

R/o 19-A, Tilak Bridge, Rly. Colony,
New Delhi.

38. Smt. Komal Gautam (Aged about 45 years)
w/o R.K. Gautam,
R/o F-534, Ghaziabad. ... Applicants

Versus

Union of India through

1. The Chairman Railway Board,
Ex-Officio Principal Secretary,
Govt. of India,
Ministry of Railways
Rail Bhawan, New Delhi.
 2. The General Manager,
Northern Railway, Baroda House,
New Delhi.
 3. The Chief Personnel Officer
Northern Railway, Baroda House
New Delhi. ... Respondents
- (By Advocates: Sh. Subhash Gosain)

ORDER (ORAL)

Justice L. Narasimha Reddy:-

This OA is filed with a prayer to direct the respondents to assign correct seniority to the applicants in the post of Office Superintendent, Grade-II with the pay scale of 5500-9000; over and above all the incumbents holding the post of Head Clerk in pay scale of Rs.5000 to 8000. Other ancillary reliefs are also claimed.

2. At one point of time i.e. on 17.08.2015, the OA was allowed granting the relief. However, the respondents filed RA No.33/2016 stating *inter alia* that identical issue was decided by this Tribunal in OA No.3133/2012 (***Sunder Singh & Ors. v. Union of India and Ors.***) and that in Writ Petition(C) No.1024/2014, the Delhi High Court passed order dated 14.02.2014, staying the operation of the impugned order passed by this Tribunal in the said OA. The RA was allowed and the matter was restored to file.

3. In view of the pendency of Writ Petition No.1024/2014, the OA was adjourned *sine die* vide order dated 05.09.2016. Today, we have taken up the OA. The same situation obtains even now.

4. We are of the view that this OA can be disposed of directing that the rights of the applicants would be decided in accordance with the adjudication that may be handed out by the Hon'ble Delhi High Court in WP(C) No.1024/2014.

5. We, therefore, dispose of the OA directing that the respondents shall pass appropriate orders in respect of

the applicants herein also depending upon the outcome of the Writ Petition No.1024/2014 pending in the Hon'ble Delhi High Court.

6. There shall be no order as to costs.

(Aradhana Johri)
Member(A)

(Justice L. Narasimha Reddy)
Chairman

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