

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00376/2018

Wednesday, this the 18th day of April, 2018

CORAM:

HON'BLE Mr. E.K. BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

1. Jaseem V., 30 years,
S/o. Hamsa V.,
Veloor House, Thozhuvanoor (P.O),
Valanchery, Malappuram – 676 552,
Serving as Asst. Loco Pilot, PF No. 61306289,
CCRC Office Shoranur, Palakkad Division,
Southern Railway.
2. Arun N.S, 28 years,
S/o. N.K. Sasi, Naissery House,
Poopathy P.O., Thrissur – 680 733.
Serving as Asst. Loco Pilot,
PF No. 61306538,
CCRC Office Shoranur, Palakkad Division,
Southern Railway.
3. Akhil V.M, 27 years,
S/o. V.S. Madhavan, Vadutheth House,
Anjur-Mundur (P.O), Thirssur – 680 541.
Serving as Asst. Loco Pilot,
PF No. 61306423,
CCRC Office Shoranur, Southern Railway,
Palakkad Division, Southern Railway.
4. Mathew Shyjan, 31 years,
S/o. Antony T.W, Celinnivas,
Near RC Church, Maday (P.O),
Kannur – 670 304.
Serving as Asst. Loco Pilot,
PF No. 61306484,
CCRC Office Calicut,
Palakkad Division, Southern Railway.
5. Vipin V., 26 years,
S/o. Vijayan, Poovakode House,
Kannadi P.O, Palakkad – 678 701.
Serving as Asst. Loco Pilot,
PF No. 13040777,

- Palakkad depot, Palakkad Division,
Southern Railway.
6. Hassan Kutty P.V., 30 years,
S/o. Abdurahiman P.V.,
Illikathodi House, Andiyoorkunnu P.O,
Malappuram – 673 637.
Serving as Asst. Loco Pilot,
PF No. 13040776, ALP/CLT,
Palakkad Division, Southern Railway.
 7. Chaljith K., 30 years,
S/o. Chandran K., Harisree House,
Kuzhikandathil, Panteerankavu (P.O),
Kozhikode – 673 019.
Serving as Asst. Loco Pilot,
PF No. 13040766, ALP/CLT,
Palakkad Division, Southern Railway.
 8. Shanilkumar O.T., 27 years,
S/o. Appukutty O.T.,
Ongorathazhath House,
Madavoor (P.O), Narikkunni (via),
Kozhikode – 673 585.
Serving as Asst. Loco Pilot,
PF No. 61306587,
CCRC Office Calicut,
Palakkad Division, Southern Railway.
 9. Prasanth E., 29 years,
S/o. Ramachandran, Edavalath House,
Kuttikkattoor (P.O), Kozhikode – 673 008.
Serving as Asst. Loco Pilot,
PF No. 61308122,
CCRC Office Calicut,
Palakkad Division, Southern Railway.
 10. Afsal Moidu, 33 years,
S/o. A.K. Moidu,
Afsajsiamanzil, Nedupadamlane,
Angamaly South (P.O), Ernakulam – 683573.
Serving as Asst. Loco Pilot,
PF No. 61309266,
CCRC Office Shoranur, Southern Railway,
Palakkad Division, Southern Railway.
 11. Roshil K., 28 years,
S/o. Chandran K,
Kasthoori House, Koyyattil,
Chittariparampa (P.O), Kannur – 670 650.

Serving as Asst. Loco Pilot,
PF No. 14040089,
CCRC Office Calicut,
Palakkad Division, Southern Railway.

12. Ratheesh K.V., 34 years,
S/o. Raghavan P.V.,
Kizhakaaveedu, Cheruppara,
Ettukudukka (P.O), Karivellur (via),
Kannur – 670 521.
Serving as Asst. Loco Pilot,
PF No. 61309114, Mangalore depot,
Palakkad Division, Southern Railway.

13. Shine S., 30 years,
S/o. Surendran K.,
Vilayilputhenveedu,
Ezhukone, Ezhukone (P.O),
Kollam – 691 505.
Serving as Asst. Loco Pilot,
PF No. 61400750,
CCRC Office Shoranur,
Palakkad Division, Southern Railway.

14. Praveen K., 37 years,
S/o. Kesavan,
Thatwamasy House,
V.P. Thara, Kollangode (P.O),
Palakkad – 678 506.
Serving as Asst. Loco Pilot,
PF No. 15607MAS059,
Palakkad Depot,
Palakkad Division, Southern Railway.

- Applicants

[By Advocate Mr. Vinode V.Luka]

Versus

1. Union of India represented by the
Secretary, Ministry of Railways,
Rail Bhavan, Raisina Road,
New Delhi – 110 001.
2. The General Manager,
Southern Railway, Headquarters Office,
Park Town (P.O), Chennai – 600 003.
3. The Divisional Railway Manager,
Southern Railway, Palakkad Division,
Palakkad – 678 010.

4. The Senior Divisional Personnel Officer,
Divisional Office, Personnel Branch,
Palakkad Division, Palakkad – 678 001.
5. The Chief Crew Controller,
CCRC Office Shoranur, Palakkad Division,
Palakkad – 678 001. - Respondents

[By Advocate : Standing Counsel for the Railways]

This Original Application having been heard on 18.04.2018, the Tribunal on the same day delivered the following:

ORDER (ORAL)

Heard Mr. Vinode V.Luka, learned counsel for the applicants on Admission.

2. Standing Counsel for the Railways takes Notice.
3. Applicants are aggrieved by the amendment to the Seniority List proposed in the impugned order, i.e. Annexure A1 on the ground that initially they have been placed ahead of the RRB candidates who joined the Division before them. The learned counsel for the applicants mentions that the applicants have represented their case before the respondents by way of reply to the Show Cause Notice at Annexure A1.
4. This Tribunal feels at this point that this O.A. can be disposed of at the admission stage itself by giving a direction to R.4 viz. the Senior Divisional Officer, Divisional Office, Personnel Branch, Palghat Division to consider the pending representations made by the applicants and dispose of the same through a speaking order. I proceed to do so. Accordingly, it is ordered that the representations shall be disposed of within one month from the date of receipt of a copy of this order.
5. O.A. is disposed of on the above terms at the admission stage.

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

Applicant's Annexures

- Annexure A-1 - A true photocopy of the Show Cause Notice dated 08.02.2018 and received on 16.02.2018, vide No. J/P612/V/PR/Vol. VII, issued by the 4th respondent.

- Annexure A-2 - True photocopy of the Inter Divisional Request Transfer, issued by the Divisional Personnel Officer, vide No. SA/P 676/VI.IDT.ALP.Vol. VII, dated 18.11.2015.

- Annexure A-3 - True photocopy of the Provisional Seniority List dated 12.05.2016, vide No. J/P 612/V/PR/Vol. VII, issued by the 4th respondent.

- Annexure A-4 - True photocopy of the Seniority List of Assistant Loco Pilots dated 21.06.2017, published vide No. J/P.612/V/PR/Vol. VII.

- Annexure A-5 - True photocopy of the Promotion List to the Post of Sr. ALP, dated 09.02.2018, published vide Office Order No. J/PR 05/2018.

- Annexure A-6 - True copy of the Representation, preferred by the Applicant No. 1 before the 4th respondent.

- Annexure A-6(a) - True copy of the Representation, preferred by the Applicant No. 2 before the 4th respondent.

- Annexure A-6(b) - True copy of the Representation, preferred by the Applicant No. 3 before the 4th respondent.

- Annexure A-6(c) - True copy of the Representation, preferred by the Applicant No. 4 before the 4th respondent.

- Annexure A-6(d) - True copy of the Representation, preferred by the Applicant No. 5 before the 4th respondent.

- Annexure A-6(e) - True copy of the Representation, preferred by the Applicant No. 6 before the 4th respondent.

- Annexure A-6(f) - True copy of the Representation, preferred by the Applicant No. 7 before the 4th respondent.

- Annexure A-6(g) - True copy of the Representation, preferred by the

Applicant No. 8 before the 4th respondent.

Annexure A-6(h) - True copy of the Representation, preferred by the Applicant No. 9 before the 4th respondent.

Annexure A-6(i) - True copy of the Representation, preferred by the Applicant No. 10 before the 4th respondent.

Annexure A-6(j) - True copy of the Representation, preferred by the Applicant No. 11 before the 4th respondent.

Annexure A-6(k) - True copy of the Representation, preferred by the Applicant No. 12 before the 4th respondent.

Annexure A-6(l) - True copy of the Representation, preferred by the Applicant No. 13 before the 4th respondent.

Annexure A-6(m) - True copy of the Representation, preferred by the Applicant No. 14 before the 4th respondent.

List of Annexures of the Respondents

NIL
