

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD**

**OA/20/1113/2017, OA/20/1110/2017, OA/21/1114/2017, OA/20/1119/2017,
OA/20/1120/2017 & OA/20/1121/2017**

Date of Order : 26.03.2018

BETWEEN:

Juvvanapudi Anjaiah,
S/o. J. Venkata Rathnam,
Aged about 58 years,
Occ: Sr. Divisional Electrical Engineer (Maintenance),
O/o. The Divisional Railway Manager,
South Central Railway, Guntakal Division,
Guntakal, Anantapur Dist. Andhra Pradesh.

..... Applicant in OA.1113/2017

1. G. Eswaraiah,
S/o. G. Lakshminarayana,
Aged about 46 years,
Occ: Dy. Chief Mechanical Engineer,
O/o. The Chief Workshop Manager,
Carriage Repair Shop, South Central Railway,
Tirupati – 517 506.
2. K. Nanuda, S/o. K. Teekya,
Aged about 47 years,
Occ: Dy. Chief Electrical Engineer,
O/o. The Chief Workshop Manager,
Lallaguda Workshop,
South Central Railway, Secunderabad.
3. A.T.V.S. Satyanarayana,
S/o. A. Angirasa Sharma,
Aged about 58 years,
Occ: Sr. Divisional Environment & House Keeping Manager,
O/o. The Divisional Railway, Manager,
South Central Railway, Nanded.
4. P. Nehemiah, S/o. P. George,
Aged about 57 years, Occ: Sr. Divisional Personnel Officer,
O/o. The Divisional Railway Manager,
South Central Railway, Vijayawada.
5. N. Rajendra Kumar,
S/o. N.S. David Raju,
Aged about 57 years,
Occ: Sr. Divisional Safety Officer,
O/o. The Divisional Railway Manager,
South Central Railway, Nanded.

6. V.G. Vijayendra Kumar,
S/o.K.V. Govinda Raj,
Aged about 56 years,
Occ: Sr. Divisional Electrical Engineer (Traction),
O/o. The Divisional Railway, Manager,
South Central Railway, Guntakal.
7. BVVN. Prasad, S/o. B. Jagannadha Rao,
Aged about 57 years,
Occ: Dy. Chief Engineer,
Land Management / HQ,
O/o. The Principal Chief Engineer, South Central Railway,
Rail Nilayam, Secunderabad.
8. AK. Gupta, S/o. Baboo Ram Gupta,
Aged about 59 years,
Occ: Dy. Chief Engineer (General),
O/o. The Principal Chief Engineer,
South Central Railway, Rail Nilayam, Secunderabad.
9. A. Balaji Rao, S/o. A.P. Pavana Rao,
aged about 57 years,
Occ: Dy. Chief Engineer (Track-1)
O/o. The Principal Chief Engineer,
South Central Railway, Rail Nilayam, Secunderabad.

....Applicants in OA.1110/2017

1. J.C.Nagaraja Rao, S/o J.M.Chinnu Rao, aged 58 years,
Occ:Deputy Chief Personnel Officer (Gazetted),
O/o The Chief Personnel Officer, South Central Railway,
Rail Nilayam, Secunderabad.
2. B.V.Ram Prasad, S/o B.R.A.Deekshitulu, aged 55 years,
Occ: Deputy Chief Commercial Manager (Freight Service),
O/o The Chief Commercial Manager, South Central Railway,
Rail Nilayam, Secunderabad.
3. U.V.N.M.Swamy, S/o U.Venkateswara Rao,
Aged 46 years, Occ: Senior Divisional Signal &
Telecom Engineer, O/o The Divisional Railway Manager,
South Central Railway, Nanded.

.... Applicants in OA No.1114/ 2017

1. M. Sreeramulu, S/o Venkataswamy, aged 55 years,
Occ: Senior Divisional Personnel Officer,
O/o The Divisional Railway Mananer, South Central Railway,
Guntur Division, Guntur, A.P.
2. M. Niranjan Kumar, S/o M. Venugopal, aged 55 years,
Occ. The Senior Divisional Engineer (North),
O/o The Divisional Railway Manager, South Central Railway,
Guntur Division, Guntur, A.P.
3. K. Babu Rao, S/o K. Yacob, aged 59 years,
Occ: The Senior Divisional Mechanical Engineer,

O/o The Divisional Railway Manager,
South Central Railway, Guntur Division,
Guntur, A.P.

4. T. Sanjeevayya, S/o T. Sreeramulu, aged 54 years
Occ: Deputy Chief Engineer (Construction),
South Central Railway, Guntur Division,
Guntur, A.P.

.... Applicants in OA No. 1119/2017

1. K. Philu Naik, S/o K. Seen Paul, aged 59 years,
Occ: Deputy Chief Personnel Officer,
O/o The Chief Workshop Manager, South Central Railway,
Wagon Workshop, Guntupalli, Rayanapadu, Krishna District.
2. K.G. Ramakrishnan, S/o M. Govindan Unni, aged 55 years,
Occ: The Senior Divisional material Manager,
O/o The Divisional Railway Manager, South Central Railway,
Vijayawada Division, Vijayawada, Krishna District, AP.
3. Adharam Suresh, S/o A. Ramachandraiah,
Aged 48 years, Occ: Senior Divisional Electrical
Engineer (TRD), O/o The Divisional Railway
Manager, South Central Railway, Vijayawada
Division, Vijayawada, Krishna District, AP.
4. S. Satyanarayana, Reddy, s/o S. Sura Reddy,
Aged 59 years, Occ: Senior Divisional Engineer (Track
Machines), South Central Railway, Vijayawada Division,
Vijayawada, Krishan District, AP.
5. S. Appala Raju, S/o Sri Rama Raju, aged 54 years,
Occ: Senior Divisional Engineer (O), South Central Railway,
Vijayawada Division, Vijayawada, Krishna District, AP.
6. P. Ganesh Babu, S/o Nagabhushana Rao, aged 59 years,
Occ: Deputy Chief Engineer (Track Machines),
South Central Railway, Vijayawada Division,
Vijayawada, Krishna District, AP.
7. T.A. L.N. Prasad, S/o T. Venkata Subbayya, aged 55 years,
Occ: Deputy Chief Engineer (Construction),
South Central Railway, Tirupati R.S. Chittuor District.
8. Md. Karamthulla khan, S/o Md. Yaseen Khan,
Aged 53 years, Deputy Chief Vigilance Officer(Personnel),
O/o The Senior Deputy General Manager, 3rd floor,
Rail Nilayam, South Central Railway, Secunderabad.
9. M. Bala Muralidhar, S/o.Late M. Satyam, aged 48 years,
Occ: Deputy Chief Personnel Officer (IR), O/o The Chief
Personnel Officer, 4th floor, Rail Nilayam, South Central
Railway, Secunderabad.
10. P. Radhakrishna, S/o late Saheb, aged 58 years,
Occ: Senior Divisional Personnel Officer,

O/o The Divisional Railway Manager,
South Central Railway, Hyderabad Division,
Hyderabad Bhavan, Secunderabad.

.... Applicants in OA No. 1120/2017

1. S.Siddheswara Rao, S/o S.Seetharamaiah, aged 59 years,
Occ: Senior Divisional Mechanical Engineer (C&W),
O/o The Divisional Railway Manager, South Central Railway,
Guntakal Division, Guntakal, Anantapur District A.P.
2. J.Balaramaiah, S/o J.Penchulaiah, aged 59 years,
Occ: The Senior Divisional Personnel Officer,
O/o The Division Railway Manager, South Central Railway,
Guntakal Division, Guntakal, Anantapur District, A.P.
3. P.John, S/o Late P.Pochaiah, aged 52 years,
Occ: Dy.Chief Signal & Telecommunication Engineer (Construction),
Guntakal, Anantapur District A.P.
4. S.Hari, S/o. M. Srinivasan, aged 50 years
Occ: Sr. Divisional Safety Officer,
O/o. The Divisional Railway Manager,
South Central Railway, Guntakal Division,
Guntakal, Anantapur District A.P.

....Applicants in OA No. 1121/2017

AND

1. Union of India rep. by
The Chairman, Railway Board,
Rail Bhavan, New Delhi.
2. The General Manager,
South Central Railway,
Rail Nilayam, Secunderabad.
3. The Secretary, Department of
Personnel & Training, Government of India,
North Block, New Delhi – 110 001.

..... (Common Respondents in all the OAs)

4. T. Nagaraj, S/o. T.Narayana Prasad,
Aged about 33years,
Occ: DEE/ELS/LGD/SC. Rly, Secunderabad,
R/o. 555/1, Railway Officers Quarters,
New Bhoiguda , Secunderabad.
5. Dinesh Reddy Ch., S/o. Ch. Venkat Reddy,
Aged about 31 years,
Occ: DEE /TD/GNT/SC.Rly, Secunderabad,
R/o. D.No.6-15-1/A, 15/3,
Arundaipet, Guntur, A.P.

..... (Pvt. Respondents in OA.1113/2017)

Counsel for the Applicants : Mr. KRKV. Prasad, Advocate
Counsel for the Respondents : Mr. SM. Patnaik , SC for Rlys.
Mrs. K. Rajitha, Sr.CGSC
Mr. G. Pavana Murthy,
(for pvt. Respondents in OA 1113/17)

CORAM :

THE HON'BLE MR.JUSTICE R.KANTHA RAO, JUDL. MEMBER
THE HON'BLE MRS. MINNIE MATHEW, ADMN. MEMBER

ORAL ORDER

{ Per Hon'ble Mr.Justice R.Kantha Rao, Judl. Member }

Heard Mr. K.R.K.V. Prasad, learned counsel appearing for the Applicants and Mr. S.M. Patnaik, learned Standing Counsel for the Railways.

2. These O.A.s are filed challenging the proposed reversions based on the old seniority list vide letters dated 6.12.2017 & 7.12.2017. Interim orders were given in all the cases directing the Respondents not to effect any reversion. In the order passed by the Patna Bench of Central Administrative Tribunal in OA/050/00460/2015 dated 3.5.2016 which is confirmed by the Patna High Court, the Respondent Railways were directed to frame appropriate guidelines regarding seniority by consulting the DOPT. It seems that the Railways in turn consulted the DOPT and the DOPT left it to the choice of the Railways to adopt the guidelines of the DOPT or to frame separate guidelines. The Railways in supersession of the earlier seniority list, issued a new seniority list.

3. Shri S.M. Patnaik, learned Standing Counsel would submit that in view of the issuance of the new seniority list, these O.As which are filed

basing on the old seniority list can no longer be maintainable before the Tribunal. According to him, the Applicants, if it becomes necessary to redress any grievance basing on the new seniority list, have to file fresh O.As.

4. On the other hand, learned counsel appearing for the Applicants submitted a Memo to show that still some Zonal Railways are seeking clarification from the Railway Ministry as to whether the new seniority list was issued in supersession of the earlier letters. Thus, he submits that there is no clarity even after the issuance of the new seniority list by the Railways. The material papers filed along with the Memo are taken on record. He also filed some order copies showing that even after the issuance of the new seniority list, seniority of some officials is restored by the Department itself.

5. Having gone through the submissions made on either side, we are of the view that in any event, because new seniority list in supersession of the earlier seniority list is issued by the department, there is no necessity to adjudicate the present O.As. As rightly submitted by the learned Standing Counsel for the Railways, in case of any grievance, liberty can be given to the Applicants to file fresh O.As which would be a new cause of action. Consequently, the O.As are closed giving liberty to the Applicants to file fresh O.As, if they are aggrieved on account of any action taken by the Railways basing on the new seniority list. M.A. Nos.866, 867, 868, 869, 873, 874/2017 & 47/2018 stand closed. No costs.

(MINNIE MATHEW)
ADMN. MEMBER

(JUSTICE R.KANTHA RAO)
JUDL. MEMBER

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