

CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

...

OA NO. 290/00029/2015

THIS, THE 5TH DAY OF

JANUARY, 2018

...

CORAM: HON'BLE MR. PRASANNA KUMAR PRADHAN, MEMBER (A)
HON'BLE MR. SURESH KUMAR MONGA, MEMBER (J)

...

1. NARAYAN LAL PATWA S/O SHRI FATEH SINGH, AGED ABOUT 42 YEARS, RESIDENT OF T-40-A, RAILWAY COLONY, CHITTORGARH.
2. M.K.RAO S/O SHRI GIRVAR SINGH RATHOR, AGED ABOUT 45 YEARS, RESIDENT OF 41, SOM NAGAR-II, MADHUBAN, CHITTORGARH.
3. J.S.RATHOR S/O SHRI PUSP SINGH RATHOR, AGED ABOUT 42 YEARS, RESIDENT OF 50, SOM NAGAR-II, MADHUBAN CHITTORGARH.
4. VIKRAM SINGH CHOUHAN S/O SHRI BHANWAR SINGH, AGED ABOUT 37 YEARS, RESIDENT OF 31, MADHUBAN SECOND, CHITTORGARH.
5. ASHISH AGARWAL S/O SHRI BRIJMOHAN, AGED ABOUT 36 YEARS, RESIDENT OF H.NO.6, SOM NAGAR-IVTH, MADHUBAN, CHITTORGARH.
6. R.ANSARI S/O SHRI NOOR MOHD. ANSARI, AGED ABOUT 43 YEARS, RESIDENT OF T-74-A, RAILWAY COLONY, CHITTORGARH.

ALL ARE PRESENTLY WORKING AS GOODS GUARD AT CHITTORGARH WITH WESTERN RAILWAY.

...APPLICANTS

BY ADVOCATE : MR. VISHAL SHARMA, MR. S.P.SINGH IN MA.

VERSUS

1. UNION OF INDIA THROUGH THE SECRETARY, MINISTRY OF RAILWAY, RAIL BHAWAN, NEW DELHI.
2. UNION OF INDIA THROUGH SECRETARY, DEPARTMENT OF PERSONNEL AND TRAINING, MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS, NORTH BLOCK, NEW DELHI.
3. SENIOR DIVISIONAL PERSONNEL OFFICER, WESTERN RAILWAY, DRM OFFICE, 2-BATI RAILWAY STATION, RATLAM.
4. DIVISIONAL RAILWAY MANAGER, RATLAM DIVISION (WESTERN RAILWAY), 2-BATI, DRM OFFICE RATLAM.
5. SHANKAR LAL CHARPOTA S/O SHRI KUNDA CHARPOTA,
6. GAGAN KUMAR CHAPRI S/O SHRI PRATHVI LAL,
RESPONDENT NO. 5 TO 6 THROUGH STATION MANAGER, WESTERN RAILWAY, DIVISIONAL OFFICE, DO BATTI, RATLAM-457001 (M.P.)

....RESPONDENTS

BY ADVOCATE: MR. KAMAL DAVE FOR RESP. NOS. 1 TO 4
NONE FOR OTHER RESPONDENTS

ORDER (ORAL)

...

PER SURESH KUMAR MONGA:

THE INSTANT ORIGINAL APPLICATION HAS BEEN FILED BY THE APPLICANTS IN ORDER TO SEEK QUASHING OF THE PANEL LIST DATED 18.12.2014 WITH A FURTHER PRAYER TO RESTRAIN THE RESPONDENTS FROM MAKING PROMOTIONS ON THE POST OF PASSENGER GUARD ON THE BASIS OF SAID PANEL LIST.

2. THE APPLICANTS BEING GENERAL CATEGORY CANDIDATES ARE AGGRIEVED AGAINST EXECUTION OF POLICY CIRCULATED BY THE RAILWAY BOARD VIDE RBE NO. 126/2010 DATED 01.09.2010.

3. AT THE VERY OUTSET, SHRI KAMAL DAVE, LEARNED COUNSEL FOR RESPONDENT NOS. 1 TO 4 PRODUCED A CIRCULAR DATED 30.09.2016 ISSUED BY THE RAILWAY BOARD VIDE WHICH THE RBE NO.126/2010 DATED 01.09.2010 HAS BEEN KEPT IN ABEYANCE. IT HAS FURTHER BEEN LAID DOWN IN THE SAID CIRCULAR THAT ALL FURTHER PROMOTIONS OF RESERVED CATEGORY PERSONS TO UN-RESERVED POSTS WILL NOW BE MADE BY IGNORING THE RAILWAY BOARD RBE NO.126/2010 DATED 01.09.2010. IN VIEW OF THIS, THE LEARNED COUNSELS FOR THE PARTIES AGREED THAT THE INSTANT OA CAN BE DISPOSED OF IN THE LIGHT OF CIRCULAR DATED 30.09.2016.

4. ACCORDINGLY, THE INSTANT OA IS DISPOSED OF AND THE OFFICIAL RESPONDENTS ARE DIRECTED TO PROCEED IN THE MATTER OF FURTHER PROMOTIONS IN TERMS OF RBE 117/2016 DATED 30.09.2016 ISSUED BY THE RAILWAY BOARD.

5. ORDERED ACCORDINGLY. THERE SHALL BE NO ORDER AS TO COSTS.

SURESH KUMAR MONGA)
MEMBER (J)

(PRASANNA KUMAR PRADHAN)
MEMBER (A)

R/

1