

**Central Administrative Tribunal
Ernakulam Bench**

OA No.180/00194/2019

Friday, this the 7th day of June, 2019

CORAM

Hon'ble Mr.E.K.Bharat Bhushan, Administrative Member

Hon'ble Mr.Ashish Kalia, Judicial Member

1. Mukesh Chand Meena, aged 42 years
S/o Mithaya Lal Meena
Track Maintainer IV
O/o SSE/P.Way/Nagercoil,
Trivandrum Division, Southern Railway.
Permanent Residence at Khohra,
Khohara, Karauli, Todabhim,
Rajasthan-321 611.
2. Mohanan V., aged 49 years
S/o Vasu,
Track Maintainer IV
O/o SSE/P.Way/Mavelikkara,
Trivandrum Division, Southern Railway.
Residing at Anjanam House, Pallikkal Naduvile Muri P.O.
Pallickal, Bharanikkavu, Alappuzha-690 503.
3. Boban S, aged 40 years
S/o Sahadevan V.,
Track Maintainer, O/o SSE/P.Way/Mavelikkara
Trivandrum Division, Southern Railway.
Residing at Sreejith Vilasam, Kottakkeram,
Parippally P.O., Kollam-691 574.
4. Sandhya Babu, aged 40 years
W/o G.Babu
Track Maintainer, O/o SSE/P.Way/Maveelikkara
Trivandrum Division, Southern Railway.
Residing at Sandhya Nivas, Kappil East,
Krishnapuram P.O., Kayamkulam.

5. Sajitha V., aged 40 years
W/o Giriprasad R.,
Track Maintainer IV, O/o the SSE/P.Way/Varkala.
Residing at Sajish Bhavan,
Kulathummal, Kattakada P.O,
Thiruvananthapuram.
6. Jalajakumari K
Track Maintainer IV, O/o SSE/P.Way/Varkala,
Trivandrum Division, Southern Railway.
Residing at Raj Nivas, Kalagramam 149A,
Panthukalam, Kodunganoor P.O.,
Trivandrum-695 013.
7. Suresh Sudhakaran, aged 41 years
S/o Sudhakaran
Track Maintainer
O/o SSE/P.Way/Alleppey.
Residing at Puthen Vilayil
Mahadevikadu P.O.,
Karthikappally, Alappuzha.
8. Saji M.T., aged 49 years
S/o Thankappan
Track Maintainer, SSE/P.Way/KTYM,
Trivandrum Division, Southern Railway.
Residing at Marutholickal House, Nedumanni P.O.,
Nedumkunnam, Kottayam-686 542.
9. Ashok K.Bhaskaran, aged 49 years
S/o Bhaskaran
Track Maintainer IV
O/o SSE/P.Way/Kottayam
Trivandrum Division, Southern Railway.
Residing at Chithira Bhavan, South Pampady,
Kottayam Dist-686 521.
10. Suja T, aged 41 years
W/o Manoj K
Track Maintainer-IV, O/o SSE/P.Way/Kottayam,
Trivandrum Division, Southern Railway.
Residing at Kaithakkara Veedu,
Pannivizha, Adoor P.O.
Pathanamthitta-691 523.

11. Prasad T.V, aged 42 years
S/o Vasudevan K
Track Maintainer IV, O/o SSE/P.Way/Kotayam
Trivandrum Division, Southern Railway.
Residing at Vaishakham, Kozhuvallur P.O.
12. Jayan K., aged 55 years
S/o P.Krishna Pillai
Track Maintainer IV, O/o SSE/P.Way/Kottayam,
Trivandrum Division, Southern Railway.
Residing at Aiswarya, Haritha Nagar,
Moonamodu, Vattiyoorkavu P.O.,
Trivandrum-695 013.

Applicants

(Advocate: Ms.Shameena Salahudheen)

versus

1. Union of India represented by the
General manager, Southern Railway,
Park Town, Chennai-600 003.
2. The Chief Personnel Officer
Southern Railway, Chennai-600 003.
3. The Divisional Railway Manager
Southern Railway, Trivandrum Division,
Trivandrum-695 014.
4. The Senior Divisional Personnel Officer,
Southern Railway, Trivandrum Division,
Trivandrum-695 014.
5. The Senior Divisional Engineer (Coordination)
Divisional Office, Southern Railway,
Trivandrum Division, Trivandrum-695 014.

Respondents

(Advocate: Mr.V.A.Shaji, ACGSC)

The OA having been heard on 7th June, 2019, this Tribunal delivered the following order on the same day:

O R D E R (oral)

By E.K.Bharat Bhushan, Administrative Member

Mr.V.A.Shaji, Standing Counsel for Railways appeared on behalf of the respondents. Heard both sides.

2. The concern of the applicants was that after the process of selection was initiated and after all formalities were completed including the medical test, the last procedure involved which is a screening test is being indefinitely delayed. This is to the disadvantage of candidates such the applicants.

3. Standing Counsel for the Railways submits that, as directed by this Tribunal at the sitting on 12.4.2019, the representation at Annexure A5 had been sent and suitable steps were taken. A copy of the communication received from the office of the Personnel Branch at Trivandrum was handed over by the learned counsel which states as follows:

“After considering all the aspects involved in the case and also considering the plight of the representation at Annexure A5, order has been passed to initiate the process of screening and other formalities so as to carry out the notification dated in tandem with ways & means of fulfilling the vacancies in the Track maintainer cadres....”

4. We are of the view that the OA can be disposed of at this point by directing the respondents to consider to ensure that the screening should be completed as early as possible and in any case within three weeks from the date of receipt of this order, and orders issued thereupon. We do so. The OA stands disposed of.

(Ashish Kalia)
Judicial Member

(E.K.Bharat Bhushan)
Administrative Member

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Annexures filed by the applicants:

- Annexure A1: Copy of the notification No.V/P/536/11 Change of category vol. VII dated 29.12.2016 Order No.O.O.08/2018/Elec./TRD dated 29.1.2018 issued by the 3rd respondent.
- Annexure A2: Copy of Select List dated 1.3.2018.
- Annexure A3: Copy of the Interim Order dated 21.3.2018 in OA 1066/2017.
- Annexure A4: Copy of the order in MA 1295 of 2018 in OA 1066/2017 dated 30.11.2018.
- Annexure A5: Copy of the representation dated 5.2.2019.