

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW**

Original Application No. 332/00546/2018

This the 19th day of December, 2018

Hon'ble Ms. Jasmine Ahmed, Member - J

Hon'ble Mr. Devendra Chaudhry, Member - A

1. Hari Prasad Vishwakarma, aged about 54 years, son of Shri S.P. Vishwakarma, Address 548/V-491, Vikram Nagar, Manak Nagar, RDSO, Lucknow.

2. Anand Kumar Pandey, aged about 50 years, son of Shri S.P. Pandey, Address – M-1742, Sector – I, LDA Colony, Kanpur Road, Ashiyana, Lucknow.

3. Ashok Kumar Yadav, aged about 55 years, son of Shri H.P. Yadav, Address Village – Pure Hinchha, Post- Mandhata, Pratapgarh.

4. Pramesh Kumar Srivastava, aged about 52 years, son of Shri M.P. Srivastava, Address 548/V, Vikram Nagar, Manak Nagar, RDSO, Lucknow.

5. Arvind Kumar Singh, aged about 53 years, son of Shri R.A Singh, Address 568/93, Kailashpuri, Alambagh, Lucknow.

6. Abdul Wahid, aged about 55 years, son of Shri Abdul Hamid, Address Village Khairanpur (Takiya), Post- Bhelsar, Faizabad.

..... Applicants

By Advocate: Sri Surya Kant Mishra

VERSUS

1. Union of India, through the General Manager, Northern Railway, Baroda House, New Delhi.

2. The Divisional Railway Manager, Northern Railway, Hazratganj, Lucknow.

3. The Senior Divisional Personnel Officer, Northern Railway, Hazratganj, Lucknow.

4. The Senior Divisional Mechanical Engineer (C&W), Northern Railway, Lucknow.

..... Respondents

By Advocate: Ms. Prayagmati Gupta

ORDER (ORAL)

Delivered by:

Hon'ble Ms. Jasmine Ahmed, Member - I

It is the contention of the Learned Counsel for the Applicants that the respondents herein issued notification dated 23.02.2015. He further contended that in this notification the respondents have applied the reservation policy in promotion. The notification was challenged before this Tribunal and the Tribunal vide order dated 23.12.2015 has passed status-quo order in regard to the applicants. It is also contended that the same matter is pending before this Tribunal till date.

2. In this regard, learned counsel for the applicants also states that the respondents herein again issued notification dated 20.11.2018 wherein the respondents have again followed the same principal of reservation in promotion. He further states that the applicants are already selected candidates as per notification dated 23.02.2015 and their names should not have been included in the current notification. In this regard, they preferred representation dated 30.11.2018 which was received by the respondents on 03.12.2018 but the respondents have not taken any decision yet. He prayed, at this stage, he will be happy and satisfied if a direction be given to the respondents to decide the representation of the applicants pending with the respondents before 05.01.2019 as notification dated 20.11.2018 reflects that the examination is scheduled on 05.1.2019.

3. Taking into account the prayer of the applicants' counsel, we direct the respondents to take decision on the pending representation of the applicants dated 30.11.2018 before the conduct of examination i.e. 05.01.2019. It is made clear that we have not commented anything on the merit of the case.

4. With the above observation and direction, the O.A stands disposed of. There shall be no order as to costs.

5. Copy of the order be given to the counsel for the respondents today.

(Devendra Chaudhry)
Member (A)

(Jasmine Ahmed)
Member (J)

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