

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Thursday 1st day of November Two Thousand And Eighteen

PRESENT:

THE HON'BLE MRS. JASMINE AHMED, MEMBER (J)
THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

MA/310/610/2018
IN
O.A./310/1487/2018
&
O.A./310/1487/2018

1. M. Satish Kumar;
2. B. Kavitha;
3. T.A. Sridhar;
4. S. Subashini;
5. P. Kathiravan;
6. K. Saleemdeen;
7. R. Srilatha;
8. B. Madhava and
9. A.K. Udayakumar

(All are presently working in Traffic Commercial department and applicants No.1, 2 & 8 are working as Enquiry Cum reservation clerks/Gr.II, applicant No.5 is working as Chief Reservation Supervisor and others are working Reservation Supervisors Gr.II in Chennai Division, S.Rly.)

....Applicants

(By Advocate : M/s. Ratio Legis)

Versus

1. Union of India Rep. by
The Secretary
Ministry of Railways,
Railway Board,
Rail Bhavan, New Delhi;
2. Principal Chief Personnel Office,
Southern Railway,
Park Town, Chennai-3;
3. The Divisional Personnel Officer,
Southern Railway, Chennai Division,
NGO Annexe, Park Town,
Chennai-3.

...Respondents

(By Advocate: Mr. P. Srinivasan)

ORAL ORDER

(Pronounced by Hon'ble Smt. Jasmine Ahmed, Member (J))

Heard. The MA has been filed by the applicant seeking permission to join together to file single OA. MA is allowed. Applicants are permitted to file single OA.

2. Applicants have filed this OA seeking the following relief:-

"to call for the merging notification through the impugned order No.28/2018 dated 22.02.2018 and consequential orders issued by the 2nd respondent dated 13.04.2018 and 3rd respondent dated 08.05.2018, 11.05.2018 and 06.06.2018, 07.06. 2018 and to quash the same and further to direct the respondents not to merge the cadre of Commercial clerks and ECRS as directed by the Railway Board."

3. Learned counsel for the applicant would submit that the applicants had filed representations dated 16.09.2018 regarding their grievance which are still pending. In the meantime, RBE 28/2018 dated 22.02.2018 on the subject of revision in cadre structure and staffing pattern due to merger of three categories of posts in the Commercial Department of Indian Railways leading to the impugned orders dated 08.05.2018, 11.05.2018 and 7.6.2018 had been stayed by the CAT, Kolkatta Bench in OA. No.1623/2018 dated 25.10.2018, Hyderabad Bench in O.A. No.767/2018 dated 08.08.2018 and Jaipur Bench in OA No.549/2018 dated 29.10.2018. Accordingly, learned counsel would seek a stay of the operation of the impugned orders from this Bench.

4. We have considered the matter. If the relevant RBE which is applicable to all Railway Divisions, in pursuance of which the impugned orders have issued has itself been stayed, there is no need for this Bench separately stay the impugned orders or go into their validity at this stage. In the circumstances, we are of the view that the respondents, in the meantime, could be allowed to take a view on the representations dated 16.09.2018 preferred by the applicants and pass necessary orders once the relevant Benches have adjudicated on the validity of the RBE or withdrawn

the stay order as the case may be, within a reasonable time thereafter. The applicants shall be at liberty to approach the Tribunal, if any grievance persisted and if so advised.

6. The OA is disposed of accordingly. No costs.

(R. RAMANUJAM)
MEMBER (A)

(JASMINE AHMED)
MEMBER (J)

Asvs.

01.11.2018