

**Central Administrative Tribunal
Principal Bench**

OA- 1339/2019

New Delhi, this the 29th day of April, 2019

**Hon'ble Sh. Pradeep Kumar, Member (A)
Hon'ble Sh. Ashish Kalia, Member (J)**

1. Shri Rohit, Age 26 years
Group C
S/o Shri Kailash
C&W Cleaner
Under SSE Balamau
R/o Vill & Post Kirshtal Distt. Baghpat
Up 250623
2. Shri Amit Kumar
Age 32 years
Group C
S/o Shri Karan Singh
C&W Cleaner
Under-SSE Balamau
R/o Vill & Post Jughatta Gurjar
Post: Phundpuri
Distt. Saharanpur U.P.
3. Shri Deepak Kumar
Age 28 years, Group -C
S/o Shri Sukhlal Singh
C&W Cleaner
Under SSE Balamau
R/o Vill-Sikraundha
Post: Heemipur Deepa
Distt. Bijnaur (UP)
4. Shri Navin Kumar
Age 26 years, Group -C
S/o Shri Savraj Singh
C&W Cleaner
Under SSE NBD
R/o Vill-Haripur, Post-Behat
Distt : Sharanpur (U.P.)
5. Shri Jitender Kumar Meena

Age 32 years, Group -C
 S/o Shri Radha Kishan meena
 C&W Cleaner
 Under CDO Balamau
 R/oVill & Post Mainapura Tehsil Bhusavar
 Distt. Bharatpur (Rajasthan)

6. Shri Prem Pal
 Age 26 years, Group -C
 S/o Shri Jai Prakash
 C&W Cleaner
 Under SSE Balamau
 R/oVillage Khanpur
 Post :Gajraula
 Dist. Amroha U.,P.
7. Shri Vishant
 Age 31 years, Group -C
 S/o Shri Hetram Singh,
 C&W Cleaner
 Under SSE Moradabad
 R/oVill-Kanvi & Post-Pilakhua,
 Distt : Hapur U.P.
8. Shri Vishal Kumar
 Age 35 years, Group -C
 S/o Shri Ramveer Singh,
 C&W Cleaner
 Under SSE Moradabad
 R/o 1707, Lajjapuri
 Distt. Bijnaur (UP)
9. Shri Ravi Kumar
 Age 26 years, Group -C
 S/o Shri Omveer Singh,
 C&W Cleaner
 Under SSE NBD
 R/o Vill-Tajpura
 Tehsil : Mawana
 Post Behsuma Distt. Meerut
10. Shri Surender Kumar
 Age 39 years, Group -C
 S/o Shri Om Prakash Gupta
 C&W Cleaner
 Under SSE BLM
 R/o Vill & Post Chailital Gulzarbagh Patna

11. Shri Rohit Tomar,
Age 27 years, Group –C
S/o Shri Desh Pal Singh
C&W Cleaner
Under SSE NBD
R/o Vill-Ranch
Tehsil: Barot, Distt. Baghpath
12. Shri Sachin Malik,
S/o Shri Om Pal Singh
Age 26 years, Group –C
C&W Cleaner
Under SSE NBD
R/o Vill-Chal & Post-Kabrout
Distt. Samli (U.P.)
13. Shri Rahul Kumar,
Age 37 years, Group –C
S/o Shri Gulab Singh
C&W Cleaner
Under SSE Moradabad
R/o 1707,
R/o Vill-Shikohpur
Distt. Baghpath
14. Shri Suresh Kumar
Age 27-1/2 years Group –C
S/o Shri Jai Singh
C& W Cleaner
Under SSC Balamau
R/o "Vill-Jakhwala& Post-Ambetha Sekha
Distt: Saharanpur U.P.
15. Shri Parvinder
Age 28-1/2 years Group –C
S/o Shri Jai Singh
C& W Cleaner
Under SSC Balamau
R/o F-417/2, Rajpuri Colony
Loni Border, Distt : Ghaziabad.
16. Shri Parvez Ali
Age 30 years Group –C
S/o Shri Samshuddin
C& W Cleaner
Under SSC Bareilly

Village & Post: Sohjani Jatan
 Distt: Mujaffar Nagar, UP

17. Shri Subhash
 Age 27 years Group –C
 S/o Shr Mange Ram
 C& W Cleaner
 Under SSC Haridwar
 Village & Post: Chhudani
 Distt : Jhajjar (Haryana)

18. Shri Pawan Kumar
 Age 28 years Group –C
 S/o Shri Sajjan Singh
 C& W Cleaner
 Under SSE Haridwar
 Village & Post: Titoli
 Rohtak (Haryana)

19. Shri Ravinder
 Age 28 years Group C
 S/o Shri Dayanand
 C&W Cleaner
 Under SSE Haridwar
 Vill & Post : Achina Tech: CH.Dadri
 Disst: Bhiwani (Haryana)

20. Shri Lakhan Singh
 Age 28 years Group –C
 S/o Shri Fool Singh,
 C& W Cleaner
 Under CDO Balamau
 Distt: Fatehpur (UP)
 r/o Village : Paharipur
 Post : Amauli
 Distt: Fatehpur, UP

21. Shri Sovind
 Age 27 years Group –C
 S/o Shri Amar Singh
 C& W Cleaner
 Under SSE Bareilly
 r/o Vill & Post : Mohammad Pur Applicants

(By Advocate : Ms. Meenu Mainee)

Versus
Union of India : Through

1. Secretary
Railway Board
Ministry of Railways
Rail Bhawan, New Delhi.
2. General Manager,
Northern Railway
Baroda House, New Delhi
3. Chief Personnel Officer
Northern Railway
Baroda House, New Delhi
4. Divisional Railway Manager
Northern Railway
Moradabad

....Respondents

ORDER (ORAL)

Sh. Pradeep Kumar, Member (A):

1.0. Ms. Meenu Mainee, learned counsel for the applicant appeared and pleaded that certain selected candidates were initially appointed as Carriage Cleaner but they were subsequently posted as Trackman. This was agitated in the Tribunal in OA No. 1740/2016 where directions were passed on 21.03.2018 to the following effect :-

“10. In the light of what has been discussed above, we direct the respondents to take appropriate decision appointing the applicants as Carriage Cleaners in the Mechanical Department of Moradabad Division of the Northern Railway with all consequential benefit pursuant to the Employment Notification No. 220E/Open Mkt/RR/2012 dated 30.8.2012 (ibid) within a period of six months from today.”

In compliance, thereof, the respondents have posted the applicants as Carriage Cleaner vide orders dated 30.11.2018.

2.0. The OA has been preferred by these applicants with a plea to consider their seniority w.e.f. the original date of panel from which others were appointed as Carriage Cleaner. The representations have already been given by the applicants to administration on 16.01.2019. The applicants pleaded that these representations have not been replied as yet.

3.0. In view of the foregoing, respondents are directed at admission stage itself, without going into the merits of the case, to pass a reasoned and speaking order within a period of three months on the said representation Dt. 16.1.2019. No order as to costs.

(Ashish Kalia)
Member (J)

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(Pradeep Kumar)
Member (A)