

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.203/00815/2018

Jabalpur, this Wednesday, the 10th day of July, 2019

HON'BLE SHRI NAVIN TANDON, ADMINISTRATIVE MEMBER
HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER

1. G.S. Bataw S/o Late Shri M.L. Bataw, aged about 41 years
Presently working as CRS/USL, R/o Nehru Nagar, Bilaspur 495001
2. Amarjeet Kumar S/o Shri Mahendra Prasad, aged about 38
presently working as ECRC/BSP, R/o Block 14 Zeenat Green Vihar Phase-I Hemunagar, Bilaspur (C.G.) 495004
3. S.A. Kashyap S/o Shri Pradeshi Lal Kashyap aged about 38 years Working as ECRC/BSP, R/o Teachers Colony Behind Green Garden Colony Mangla Bilaspur (C.G.) 495001
4. P.K. Gavande S/o Shri G.R. Gavande Aged about 40 years
Presently working as ECRC/BSP R/o Galaxy Enclave Tikrapara Bilaspur (C.G.) 495001
5. Satyaban Sahoo S/o Late Panchnan Sahoo, aged about 41 years, Presently Working as ECRC/BSP R/o Galaxy Enclave, Tikrapara Bilaspur (C.G.) 495001
6. M.K. Lakra S/o Nestor Lakra, aged about 40 years, Presently Working as ECRC/BSP R/o Bhanesar Mission, Post Jairamnagar Distt. Bilaspur (C.G.) 495550
7. Pappu Dey S/o Late Shri S.R. Dey aged about 55 years, Presently working as CRS/BSP R/o Rly Qtr. No.811/1 Railway Colony Bilaspur (C.G.) 495004
8. Saras Kumar S/o Late Shri S.D. Hathgain, aged about 43 years, Presently Working as CRS/BSP R/o Kasim Para Torwa Bilaspur (C.G.) 495004

9. B.P. Verma S/o Latte P.L. Verma, aged about 30 years, Presently Working as ECRC/BSP R/o Ashray Parihar W.No.7 Sirgitti Bilaspur (C.G.) 495004
10. KVJ Rama S/o Late S.A. Raju aged about 50 years, Presently Working as ERS/BSP R/o Tikrapara, Bilaspur (C.G.) 495001
11. D.P. Rao, S/o Shri D. Kaleshwar Rao, aged about 36 years, Presently Working as CRS/BSP, R/o MIG 1/44 ABC Deorikhurd Bilaspur (C.G.) 495004
12. Akshay S/o Shri Dalashekhar Rao, Aged about 36 years, Presently Working as EKS/BSP R/o B-220/Nera Sai Mandir Torwa Bilaspur (C.G.) 495004
13. S. Murmu S/o Shri Dhuma Murmu Aged about 48 years, Presently Working as RIG/CCC/RC, R/o Ganpati Homes, Mopka, Bilaspur (C.G.) 495004
14. S. Anil Kumar S/o Shri S.S.P. Rao, aged about 34 years, Presently working as ECRC/BSP R/o Saidhan Colony Torwa Chowk Bilaspur (C.G.) 495004
15. Arbind Prasad S/o Shri Nagendra Prasad, aged about 38 years, Presently Working as ECRC/BSP R/o Hemunagar, Bilaspur (C.G.) 495004
16. Pratik Sahu S/o Shri Mahavir Sahu, Aged about 27 years, presently working as ECRC-II/KRBA, R/o Sorapara, Ashok Nagar, Sarkanda Bilaspur (C.G.) 495001
17. Sukamar, S/o Late Shri Sadananda aged about 52 years, Presently working as KRBA/CRS R/o Subhash Nagar Raigarh (C.G.) 496001
18. Bhaskar Uraon S/o Late B.P. Uraon aged about 47 years, presently working as ECRC/KRBA, R/o B-8 Rama Residency Main Road, Torwa Bilaspur (C.G.) 495004
19. Ashutosh S/o Shri D.N. Yadav, aged about 44 years, Presently Working as ECRC/KRBA, R/o Itwari Bazar Korba (C.G.) 495454

20. L.R. Patil S/o Late M.R. Patel, aged about 40 years, Presently working as ECRC/BSP R/o Manohar Hotel, Bilaspur (C.G.) 495004

21. K.B.T. Sundari S/o Late Shri Bh.S.S.Rao aged about 40 years, presently working as ECRC/BSP, R/o Near JBC Sunrise School Vijay Nagar, Bilaspur (C.G.) 495004

22. B.N. Gardiya S/o Shri Bhikhari aged about 48 years, presently working as ECRC/BSP, R/o Hemu Nagar Bilaspur (C.G.) 495004

23. Rajavali Pandit S/o Shri Amrit Pandit, aged about 50 years Presently Working as ECRC/BSP R/o Hemu Nagar Bilaspur (C.G.) 495004

24. Onkar Prasad Gahwai S/o Late Shri K.R. Gahwai, Aged about 39 years, Presently working as ECRC/BSP R/o In front of Gayatri Temple, Chatidih, Sarkanda Bilaspur (C.G.) 495001

25. Shri N.D.R. Biswas S/o Late Shri V.P. Das, aged about 32 years, Presently working as ECRC/USL R/o Near Ashirwad Bhavan Hemu Nagar Bilaspur (C.G.) 495004

26. Manoj K. Gupta, S/o Late Shri S.K. Gubralay, aged about 37 years, Presently working as AKT/Booking, R/o Anand Nagar, Uslapur Bilaspur (C.g.) 495001

27. Tarun Kaushal S/o Late Shri O.P. Kaushal Aged about 45 years Presently working as ERS/KRBA, R/o Dr. Khetrapal Kududand, Bilaspur (C.G.) 495004

28. K.J. Kumar S/o Shri M. Shivraman, Aged about 46 years, presently working as CRS/BSP R/o 11-1A Vaishali Nagar, Bilaspur (C.G.) 495001

29. K. Mahananda S/o Late Shri Bheem, Aged about 47 years Presently working as CCC cum RC/BSP R/o Hemunagar Bilaspur (C.G.) 495004

30. R.K. Mishra S/o Shri B.L. Mishra aged about 49 years, Presently working as ECRC/BSP R/o Basant Vihar R.K. Nagar, Bilaspur (C.G.) 495004

-Applicants

(By Advocate –**None**)

V e r s u s

1. The Secretary Railway Board, Ministry of Railways, Rail Bhawan, Raisena Road, Rafi Marg New Delhi 110001
2. Union of India, Through General Manager, South East Central Railway New GM Building Bilaspur Chhattisgarh 495004
3. Chief Personnel Officer, Divisional Office, South East Central Railway Raipur Chhattisgarh 492008 - **Respondents**

(By Advocate –**Shri N.S. Ruprah**)

O R D E R (Oral)

By Navin Tandon, AM:-

The applicant in this Original Application has sought for the following reliefs:-

“8.1 That the learned Tribunal may kindly be pleased to call the entire records pertaining to the case of the applicants.

8.2 That the Hon’ble Tribunal may kindly be pleased to quash the impugned RBE No.28/2018 dated 22.02.2018 (Annexure A/I).

8.3 That, the Hon’ble Tribunal may kindly be pleased to quash the impugned provisional seniority list issued as on 01.04.2018 pursuance to merger of grades in light of RBE 28/2018.

8.4 Cost of the petition be awarded to the applicants.

8.5 Any other relief which the learned Tribunal deems fit and proper may be awarded.”

2. The respondents have filed their reply, the relevant portion is as under:-

“4. The order which is impugned namely RBE 28/2018 now does not affect the applicants in view of RBE No.59/2019 dt. 05.04.2019 filed herewith as Annexure R-2 accordingly to which the existing cadres as on 22.02.2018 of Commercial Clerk and ECRC categories would continue to be in separate seniority groups as per the pre 22.02.2018 position. As regards existing employees, instead of keeping only the TC category separate and merging seniority of CC and ECRCs, it is now recommended that all three seniority groups of TC, CC and ECRC would be maintained separately for existing employees. Merger into a common seniority and common functionalities will take place for future direct recruitment with which the present applicants have no concern.

5. That consequent upon RBE 59/2019, the impugned provisional seniority list issued as on 01.04.2018 will also be cancelled in due course.”

3. Learned counsel for the respondents submits that the reliefs prayed for by the applicant have already been granted as submitted in the reply. Therefore, this Original Application may be disposed of as having become infructuous.

4. Accordingly, this Original Application is disposed of as having become infructuous.

(Ramesh Singh Thakur)
Judicial Member

(Navin Tandon)
Administrative Member

kc