

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

OA NO. 1100/2003  
MA NO. 1001/2003

This the 6th day of May, 2003

HON BLE SH KULDIP SINGH, MEMBER (J)

1. Omkar Chand S/o Shri Babu Ram:  
R/o Q. No. 5/15 Piy. Colony,  
Kishan Gani, Delhi.
  2. Prakashyati Singh S/o Shri Gajraj Singh,  
R/o Vill. Shahpur Bomata,  
P.O. Distt. Gaziabad (U.P.).
  3. Harbans Ram S/o Shri Ram Dev Ram  
R/o 335/6, Piy. Colony,  
Shakurbasti, Delhi-34.
- ....Applicants

(By Advocate: Sh. U. Srivastava)

Versus

Union of India, through

1. The General Manager,  
Northern Railway, Baroda House,  
New Delhi.
  2. The Divisional Railway Manager,  
New Delhi Northern Railway,  
Estate Entry Road, New Delhi.
  3. The Divisional Personnel Officer  
O/O Divisional Railway Manager New Delhi  
Northern Railway,  
Estate Entry Road, New Delhi
- .. Respondents

ORDER (ORAL)

Applicant has filed this OA seeking direction to the respondents to reengage the applicants in service as the respondents had collected all the documents of the applicants for their re-engagement. It is admitted by the respondents that a number of juniors have been engaged on the basis of the direction of the Hon'ble Courts.

2. It is not out of place to mention over here that these applicants have earlier filed an OA 3392/2002 wherein directions were given to the respondents to treat the OA



3

as a representation submitted by the applicants regarding their grievances, consider the same on its merits in the light of the relevant rules, instructions and judicial pronouncements on the subject, and dispose of the same with a detailed and reasoned order in accordance with law under intimation to the applicants within two months from the date of receipt of a copy of the order.

3. In deference to the directions given by this court, respondents passed impugned order Annexure A-1 which is at page 17, 18 & 19 in respect of all these three applicants and submitted that in case of Omkar Chand there are 202 persons senior to him. Similarly, in case of Prakashvir Singh there are 223 persons senior to him and in case of Harbans Ram there are 191 persons senior to him. Applicant also pointed out in para 5.4 of the OA that as per the table prepared by him respondents itself show that certain junior persons have been engaged by the respondents. However, on going through the impugned orders I find that though respondents admit that certain junior persons have been engaged but those have been engaged because of the orders and directions given by courts. Applicant has not placed on record which of his juniors have been appointed nor the applicant has compared the circumstances as to under what circumstances their juniors have been appointed and they were not considered.

4. However, the fact remains that the position of applicant No.1 is 794, applicant No.2 is 825 and applicant No.3 is 762 and various persons standing in queue above

*[Handwritten signature]*

u

[ 3 ]

them are awaiting for getting the job. At this stage, I find that applicant has no cause of action. OA is dismissed.

  
( KULDIP SINGH )  
Member (J)

sd