

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

OA NO. 1733/2003

This the 15th day of July, 2004

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HON'BLE SH. V.K. MAJOTRA, VICE CHAIRMAN (A)  
HON'BLE SH. KULDIP SINGH, MEMBER (J)

1. Sushil Kumar Sharma  
S/o Shri R.K. Sharma
2. Krishan Kumar VII  
S/o Shri Buddha Singh
3. Sushil Kumar Saini  
S/o Shri Pota Ram Saini
4. Sunil Kumar  
S/o Shri Ram Swarop
5. Pursotham  
S/o Shri Phool Singh
6. A.K. Bhattacharya  
S/o Shri T.K. Bhattacharya
7. Rajesh Kumar II  
S/o Late Shri Ram Lal Behari
8. Sampurna Nand  
S/o Late Shri Shiv Nayak Tiwari
9. Mahesh Chand I  
S/o Late Shri Laxmi Chand
10. R.K. Nishad  
S/o Shri Ram Kripal
11. Chhidda Ali  
S/o Late Shri Chuttan
12. Uddal Singh  
S/o Shri Sipahi Lal
13. Ram Prakash VIII  
S/o Late Shri Baldev
14. D.K. Sharma  
S/o Shri K.D. Sharma
15. Asad Ullah  
S/o Shri Asraf Ullah
16. A.P. Bhatnagar  
S/o Shri R.P. Bhatnagar
17. Om Prakash II  
S/o Late Shri Sohan Lal
18. Naresh Chand  
S/o Shri Ram Prakash

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19. Vijai Pal Singh I  
S/o Late Shri Dashrat Singh

20. Rajiv Sharma  
S/o Late Shri J.P. Sharma

21. Vishnoo Saran  
S/o Late Shri J.P. Sharma

22. Ram Kumar V  
S/o Shri Hosh Ram Singh

23. Brij Pal Singh  
S/o Shri Ram Lal

24. Kulveer Singh  
S/o Shri Jawant Singh

25. Sunil Singh  
S/o Shri Umed Singh

26. Daya Shankar Saxena  
S/o Late Shri Prem Shankar Saxena ... Applicants

All working as First Fireman/Diesel Asstt. at  
senior section Engineer/Loco/N.Rly. Moradabad.

(By Advocate: Shri H.P. Chakravorty)

Versus

The Union of India, through

1. The General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.

2. The Divisional Railway Manager,  
Northern Railway, Moradabad  
(Personal Beno) ... Respondents

(By Advocate: Sh. R.L. Dhawan for official respondents.  
Sh. A.K. Trivedi proxy for  
Sh. Yogesh Sharma for private respondents.)

O R D E R (ORAL)

By Sh. V.K. Majotra, Vice Chairman (A)

Learned counsel heard.

2. Learned counsel for applicant brought to our notice order dated 7.5.2004 in OA-413/2004 whereby the said OA was disposed of as follows:-



14. Ends of justice would be duly met if the present OA is disposed of at this stage with a direction to the respondents that in so far as applicants who have responded by way of their objections in the form of representation to the notice dated 24.2.2004 the same would be considered while finalising the seniority list. However, those who have not preferred any representation, if they prefer representations, i.e., objections to the provisional seniority list dated 10.2.2004 within two weeks from the date of receipt of the copy of this order the same shall be entertained by them. The respondents shall, at the time of finalising the seniority list, consider the objections put-forth by applicants and finalise the seniority list within a period of three months thereafter, taking into consideration the decision of the Tribunal as well as rules and instructions on the subject. If, on finalising of the seniority list, applicants are still aggrieved, it shall be open to them to approach this court in accordance with law, if so advised.

15. The preliminary objections and contentions on merits are not adjudicated upon.

3. Learned counsel of the respondents Sh. Dhawan stated that the seniority list is being revised in terms of the orders dated 7.5.2004 in OA-413/2004. Both sides agreed that in case the applicant makes a representation, the same shall be considered alongwith other representations in terms of order dated 7.5.2004 before finalising and revising the seniority list. Accordingly, this OA is disposed of directing that applicant shall make a representation within a week to the respondents who shall consider and decide the same by passing a detailed and speaking order before revising the seniority list.

  
( KULDIP SINGH )  
Member ( J )

'sd'

  
( V.K. MAJOTRA )  
Vice Chairman ( A )

15.7.04