

**Central Administrative Tribunal
Ernakulam Bench**

OA No.180/00353/2019

Wednesday, this the 13th day of November, 2019.

CORAM

**Hon'ble Mr.E.K.Bharat Bhushan, Administrative Member
Hon'ble Mr.Ashish Kalia, Judicial Member**

1. S.Binu
Loco Pilot (Goods), CCRC Office,
Southern Railway, Kollam.
Residing at Sivaleela, Mulavana
Kollam-691 503.
2. Saji V.Mathew
Loco Pilot (Goods), CCRC Office
Southern Railway, Kollam,
Residing at Kripa Bhavan, Cheppad,
Alappuzha-690 507.
3. K.G.Santhosh Kumar
Loco Pilot (Goods), CCRC Office,
Southern Railway, Kollam.
Residing at Asasriparamil, Ettumanoor,
Kottayam.
4. T.R.Rajeevan
Loco Pilot (Goods), CCRC Office
Southern Railway, Kollam.
Residing at Thekkethalakkal House,
Edathirinji P.O.,Thrissur-680 122.

Applicants

(Advocate: Mr. Harikumar G.Nair)

versus

1. Union of India represented by
its Secretary,
Ministry of Railways, Rail Bhavan,
New Delhi-110 001.
2. The General Manager,
Southern Railway,
Headquarters' Office, Park Town P.O.,
Chennai-660 003.

3. The Senior Divisional Personnel Officer,
Southern Railway,
Trivandrum Division, Trivandrum-695 584.
4. The Senior Divisional Electrical Engineer,
Southern Railway, Trivandrum Division,
Trivandrum-695 584.
5. Biju George,
Loco Pilot (Goods), CCRC Office,
Southern Railway, Quilon-691 001.
6. E.Shinil Babu,
Loco Pilot (Goods), CCRC Office,
Southern Railway, Ernakulam-682 011.
7. V.I.Rajesh,
Loco Pilot (Goods), CCRC Office,
Southern Railway, Quilon-691 001.
8. Dinnichen Joseph,
Loco Pilot (Goods), CCRC Office,
Southern Raiway, Ernakulam-682 011.
9. G.S.Bijukumar,
Loco Pilot (Goods), CCRC Office,
Southern Raiway, Trivandrum-695 584.
10. K.G.Aneesh,
Loco Pilot (Goods), CCRC Office
Southern Railway, Quilon-691 001.
11. R.Sajith Kumar,
Loco Pilot (Goods), CCRC Office,
Southern Railway, Quilon-691 001.
12. V.Gopakumar,
Loco Pilot (Goods), CCRC Office,
Southern Railway, Ernakulam-682 011.
13. K.Ramesh,
Loco Pilot (Goods), CCRC Office,
Southern Railway, Ernakulam-682 011. Respondents

(Advocate: Mr.S.Radhakrishnan for R1-4)

The OA having been taken up on 13th November, 2019, this Tribunal delivered the following order on the same day:

O R D E R (oral)

By E.K.Bharat Bhushan, Administrative Member

Sri Harikumar G.Nair, learned counsel for the applicants submitted that the training of the applicants, which has been taken up as relief Nos. 1& 2, has since been completed and they are now eligible for promotion. The only prayer now left in the OA is for restraining the respondents from promoting the party respondents 5 to 13 as Loco Pilot Passengers, overlooking the seniority of the applicants.

2. Sri S.Radhakrishnan, Standing Counsel of the Railways, submits that the promotions are held up on account of the pendency of the OA. He now undertakes that promotions, when ordered, will be strictly in compliance with the Post Based Roster and in the case of general category candidates, based on Seniority cum Fitness.

3. Recording the submission, OA stands disposed of.

**(Ashish Kalia)
Judicial Member**

aa.

**(E.K.Bharat Bhushan)
Administrative Member**

Annexures filed by the applicant:

Annexure A1: Copy of provisional seniority list of Loco Pilot (Goods) in Pay Matrix Level 6.

Annexure A2: Copy of list prepared b the respondents for pre-promotional course to the post of Loco Pilot Passenger/Motorman for the year 2018-19.

Annexure A3: Copy of order No.V/E/OP/28 Trg. dated 2.2.2019 issued by the 4th respondent.

Annexure A4: Copy of representation dated 27.3.2019.

Annexure filed by the respondents:

Annexure R1(a): Copy of the interim order in OA No.818/2018 dated 23.7.2019 passed by this Tribunal.