
(2022) 03 CHH CK 0015
In the Chhattisgarh High Court
Case No : Writ Petition (S) No. 1487 Of 2022

Manish Kumar Singh

APPELLANT

Vs

Union Of India

RESPONDENT

Date of Decision : 04-03-2022

Acts Referred:

Citation : (2022) 03 CHH CK 0015

Hon'ble Judges : Arup Kumar Goswami, CJ;Gautam Chourdiya , J

Bench : Division Bench

Advocate : Vijay K. Deshmukh, Ramakant Mishra

Final Decision : Dismissed

Judgement

1. Heard Mr. Vijay K. Deshmukh, learned counsel for the petitioners. Also heard Mr. Ramakant Mishra, learned Assistant Solicitor General for Union of India, appearing for the respondents.

2. This writ petition is filed against the order dated 17.09.2021 passed by the Central Administrative Tribunal, Jabalpur Bench (Circuit Court, Bilaspur) (for short, 'the Tribunal') in OA No.203/00650/2021.

3. Perusal of the aforesaid order of the learned Tribunal goes to show that submission was advanced by the learned counsel for the applicants (petitioners herein) that the applicants will be satisfied if the respondents are directed to decide Annexure-A/8, representation dated 02.07.2021, in a time-bound manner, to which the learned counsel for the respondents had no objection and, accordingly, the competent authority of the respondents was directed to decide the representation dated 07.07.2021 within a period of 60 days of receiving the certified copy of the order.

4. In this petition, the petitioners have made the following prayers :

"10.1 To issue appropriate writ/writs/order/orders/ directing the respondents to call entire record relating to the writ petition.

10.2 To issue appropriate writ/writs/order/orders against the Respondent no R/4, R/5, R/6, R/7, R/8, and R/9 to compliance of the order/letter dated 22/02/2018 Annexure P/1 issued by the Respondent R/2, Master Circular No. 34 which is updated on August, 2019 as per No.E (NG) I/2019 SR 6/6, New Delhi 26/08/2019 seniority of Non-Gazetted staff- Master Circular Para No.3(a) (Ann. P/2) and the Indian Railway Establishment Manual Para: 128(3)(2) and also the Para:130 the Annexure P/3 about the present petitioners for the revision in cadre structure and staffing pattern due to merger of three categories of post in the commercial department over the Indian Railways.

10.3 To issue appropriate writ/writs/order/orders directing the respondent department specially the Respondent R/4, R/5, R/6, R/7, R/8, and R/9 to issue the latest seniority/ gradation list separately list of Commercial Apprentice (CA) as on issuance date working in the Bilaspur Division, Raipur Division and Nagpur Division about the present petitioners.

10.4 To issue appropriate writ/writs/order/orders directing the respondent department specially the Respondent R/4, R/5, R/6, R/7, R/8, and R/9 to issue the latest seniority/gradation list separately list of Commercial Apprentice (CA) as in cadre of Commercial Inspector/Chief Commercial Inspector as on issuance date working in the Bilaspur Division, Raipur Division and Nagpur Division about the present petitioners as per the Annexure P/1, P/2 and P/3 like the P/4.

10.5 This Hon'ble Court kindly passed such other/ order or relief as deemed fit and proper in the facts and circumstances of the case in favor of the petitioners and against the respondents."

5. Significantly, in the prayer portion, the order of the Tribunal is not put to challenge.

6. Mr. Mishra submits that since pursuant to the order of the learned Tribunal, representation of the applicants (petitioners herein) was disposed of on 29.11.2021, if the petitioners have got any grievance against the said order, they should approach the jurisdictional Tribunal, as also to flag the issues raised in this petition,

7. On perusal of the materials on record, we find that for the causes espoused in this writ petition or if aggrieved by the order dated 29.11.2021 passed in pursuance of the order of the Tribunal, the petitioners will have to approach the jurisdictional Tribunal.

8. In that view of the matter, we do not entertain this writ petition and, accordingly, the same is dismissed.