



CGHC010201032026

2026:CGHC:39109-DB
NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 4860 of 2026**

- 1** - Deputy Director / Estt. (Sct) I Railway Board, Room No. 364, Rail Bhawan, Raisina Road, Rafi Marg, New Delhi - 110001
- 2** - Union Of India Through General Manager, South East Central Railway, New G. M. Building, Bilaspur, Chhattisgarh 495004
- 3** - Principal Chief Personnel Officer South East Central Railway, Bilaspur, Chhattisgarh 495004
- 4** - Sr. Divisional Personnel Officer South East Central Railway, Kingsway, Nagpur (M.H.) 440001

--- Petitioners**versus**

- 1** - O.P. Sahu S/o Peman Lal Aged About 56 Years Loco Pilot (Goods) Under C.C.C./g, Dongargarh. R/o 74/164, Minakshi Nagar, Durg, Distt. Durg, Chhattisgarh 491001
- 2** - Babulal Sahu S/o Janak Ram Sahu Aged About 51 Years Loco Pilot (Goods) Under C.C.C./g, Dongargarh. R/o Village-Jamri Jatkanhar, Dongargarh, Chhattisgarh 491445
- 3** - Kunjesh Kumar Through Sr. Divisional Personnel Officer, S.E.C.R., Nagpur (M.H.) 440001
- 4** - Lemant Kishor (S/o R. Kishor), Through Sr. Divisional Personnel Officer, S.E.C.R., Nagpur (M.H.) 440001
- 5** - Ganvir Vimal Kirtee Through Sr. Divisional Personnel Officer, S.E.C.R. Nagpur (M.H.) 440001
- 6** - Chandrashekhar S. Sonkusare Through Sr. Divisional Personnel Officer, S.E.C.R., Nagpur (M.H.) 440001
- 7** - Devram Watti Through Sr. Divisional Personnel Officer, S.E.C.R. Nagpur (M.H.) 440001
- 8** - Kamlesh Kumar Markam Through Sr. Divisional Personnel Officer, S.E.C.R. Nagpur (M.H.) 440001

--- Respondents

BALRAM
PRASAD
DEWANGAN

Digitally signed
by BALRAM
PRASAD
DEWANGAN

For Petitioners : Mr. Ramakant Mishra, Advocate

For Respondents No.1 and 2 : Mr. Rahul Sharma, Advocate

Division Bench
Hon'ble Shri Parth Prateem Sahu, Judge
Hon'ble Shri Sachin Singh Rajput, Judge

Judgment On Board

Per Parth Prateem Sahu, J

03.09.2026

1. Petitioners have questioned the legality and sustainability of the interim order of stay dated 26.06.2025 passed in O.A. No. 569 of 2025 whereby the Central Administrative Tribunal, Jabalpur (CAT) has stayed the effect and operation of the order of promotion dated 23.06.2025.
2. Facts relevant for disposal of this writ petition are that a notification was issued on 14.10.2024 for filling up of 31 posts (21 UR, 7-SC, 3-ST) of Loco Pilot (Pass) in Electrical (OP) department of Nagpur Division of SECR. Selection was to be done through scrutiny of records and grading of current three years APAR and D & A clearance. Pursuant thereto willingness from eligible staff were called and respondents No.1 and 2 herein have submitted their willingness for promotion to the post of Loco Pilot (Pass). Respondents No.1 and 2, being senior to private respondents No. 5 to 7, were not empaneled, whereas the respondents No.5 to 7 were found suitable for empanelment, on account of respondents No. 8 to 10, though belonging to the reserved category and senior to the applicants, having been empaneled against UR posts. Aggrieved by the

empanelment of candidates belonging to the reserved category against unreserved posts, respondents Nos. 1 and 2 herein submitted a representation, which was rejected on 28.11.2024. Thereafter, the panel dated 05.12.2024 was published. Aggrieved by the same, respondents Nos. 1 and 2 herein filed O.A. No. 1334 of 2024, wherein interim directions were issued to carry out the promotions keeping in view the directions of the Hon'ble Supreme Court in *Jarnail Singh Vs. Lachhmi Narain Gupta & Ors*, to the effect that promotions may be made from reserved candidates against reserved posts and from unreserved candidates against unreserved posts, as well as on merit. However, vide order dated 23.06.2025, respondents No.3 to 8 belonging to reserved category and juniors to the respondents No.1 and 2 have been promoted against the unreserved post and respondent No.1 and 2 have been denied promotion. Being aggrieved by the aforesaid order of promotion, respondents Nos. 1 and 2 herein filed O.A. No. 569 of 2025 before the CAT, Jabalpur. The learned Tribunal, vide impugned order dated 26.06.2025, stayed the effect and operation of the order of promotion dated 23.06.2025. Aggrieved by the aforesaid impugned order of stay passed by the learned Tribunal, the petitioners/department have filed the present petition seeking the following relief(s):

“10.A.The Hon'ble Court be pleased to quash the interim order dated 26.06.2025 passed in O.A. No. 569 of 2025 (Annexure P-1) passed by the Central Administrative Tribunal, Bench Jabalpur.

10.B Any other writ or direction which this Hon'ble Court may deem fit and appropriate may be issued in

favour of the petitioner and more particularly in the interest of justice.”

3. Learned counsel for petitioners submits that the impugned order staying the effect and operation of order of promotion is bad in law and unsustainable. He submits that the selection/promotion to the post of Loco Pilot (Passenger) was undertaken after systematic scrutiny of 178 candidates, taking into consideration their seniority, availability of vacancies and roster points, and was carried out in strict compliance with the directions issued by the Hon'ble Supreme Court in case of *Jarnail Singh (supra)*. He further submits that, while issuing the order of promotion, the petitioners/department duly followed the guidelines contained in Rule No. 94/2024 and RBE No. 126/2010, which clearly stipulate that SC/ST candidates promoted on their own merit and seniority are required to be adjusted against unreserved (UR) posts. He further submits that there is shortage of Loco Pilots (Passenger), who perform a critical safety-sensitive role in ensuring the safe and timely transportation of millions of passengers every day. The stay order has further increased the shortage, thereby placing the existing workforce under considerable operational pressure.
4. Learned counsel for respondents No.1 and 2 opposes the submission of learned counsel for petitioners and supports the impugned order passed by the Tribunal. He submits that the order of promotion has been issued promoting the junior to respondent No.1 and 2 de hors the rules applicable and the judicial pronouncement. The present writ petition suffers from delay and laches, having been filed after about one year from the date of the impugned order of stay.

5. We have heard learned counsel for parties and also perused the documents placed on record.
6. Perusal of the record reveals that, by way of this present writ petition, the petitioners have challenged the legality and correctness of the interim order dated 26.06.2025 passed by the learned Tribunal in O.A. No. 569 of 2025, whereby the learned Tribunal has stayed the effect and operation of the promotion order dated 23.06.2025. Petitioners have also placed on record the copy of original application No. 569 of 2025, in which respondents No. 1 and 2/applicants have questioned the promotion order dated 23.06.2025 on the ground that they belonged to unreserved category have been denied promotion and the candidates belonging to the reserved category have been promoted against unreserved posts, contrary to the directions of the Hon'ble Supreme Court in *Jarnail Singh* (supra). Further perusal of the pleadings in the writ petition would show that, prior to passing and communication of the impugned order of stay, out of 28 Loco Pilots (Passenger) who were promoted, 23 had already been relieved and had joined at their respective places of posting as Loco Pilots (Passenger) by 30.06.2025, while only five employees remained to be relieved.
7. As this writ petition is filed on 12.05.2026 i.e. after about 11 months of passing of the interim order by the Tribunal, and the original application is yet to be decided on its own merits, this Court is of the considered opinion that at this stage, rather than entering into the merits of the controversy, it would be appropriate that the original

application pending before the learned Tribunal is decided expeditiously.

8. Accordingly, without expressing any opinion on the merits of the case, the present writ petition is disposed of with hope and trust upon the learned Tribunal that it will make all endeavour and take all possible steps to decide O.A. No. 569 of 2025 expeditiously preferably within a period of four months from the date of receipts of this order.
9. It is made clear that this Court has not expressed any opinion on the merits of the rival claims of the parties, and the learned Tribunal shall decide the claim of the parties strictly in accordance with the law on its own merits.
10. Accordingly, this writ petition stands disposed of.

Sd/-
(Parth Prateem Sahu)
Judge

Sd/-
(Sachin Singh Rajput)
Judge