

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR.JUSTICE C.T.RAVIKUMAR**

THURSDAY, THE 12TH DAY OF APRIL 2012/23RD CHAITHRA 1934

OP (CAT).No. 1330 of 2012 (Z)

OA.453/2010 OF CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH.

PETITIONER(S):

- 1. UNION OF INDIA,
REPRESENTED BY THE GENERAL MANAGER,
SOUTHERN RAILWAY, HEAD QUARTERS OFFICE,
PARK TOWN P.O., CHENNAI-3.**
- 2. THE CHIEF PERSONNEL OFFICER,
SOUTHERN RAILWAY, HEADQUARTERS OFFICE,
PARK TOWN P.O., CHENNAI-3.**
- 3. THE DIVISIONAL RAILWAY MANAGER,
SOUTHERN RAILWAY, PALGHAT DIVISION, PALGHAT.**
- 4. THE DIVISIONAL PERSONNEL OFFICER,
SOUTHERN RAILWAY, PALGHAT DIVISION, PALGHAT.**

BY ADV. SRI.JAMES KURIAN, SC, RAILWAYS

RESPONDENT(S):

**K.K. MOHANAN, S/O KANDU,
(EX-HEAD BOOKING CLERK, SOUTHERN RAILWAY
KUTTIPURAM RAILWAY STATION),
RESIDING AT : KAKKASSERI HOUSE,
THOZHAYUR P.O., TRICHUR DT-680 520.**

**THIS OP (CAT) HAVING COME UP FOR ADMISSION ON 12-04-2012,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE O.A. NO.453/2010 FILED BY RESPONDENT
BEFORE CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH.
- EXT.P2 COPY OF THE REPLY STATEMENT, DATED NIL IN O.A.453/2010
FILED BY THE PETITIONERS.
- EXT.P3 COPY OF THE ORDER IN O.A. NO.453/2010 DATED 09/11/2011
PASSED BY THE HONOURABLE TRIBUNAL.
- EXT.P4 COPY OF THE LETTER DATED 28/06/2011 ISSUED BY KSEB.
- EXT.P5 COPY OF THE ORDER IN O.A. NO.179/2011 DATED 14/12/2011
PASSED BY THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH.
- EXT.P6 COPY OF THE JUDGMENT IN W.P.(C)NO. 20632/2010
DATED 14/12/2010 PASSED BY THIS HONOURABLE COURT.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

**THOTTATHIL B. RADHAKRISHNAN &
C.T. RAVIKUMAR, JJ.**

O.P.(CAT). No. 1330 OF 2012

Dated this the 12th day of April, 2012

JUDGMENT

Thottathil B. Radhakrishnan, J.

Having looked into the materials and having heard the learned counsel for the petitioners, we do not find any ground to interfere with the impugned order which has been issued following the judgment in W.P.(C).No.20632 of 2010 and applying it. That judgment binds inter parties. In the circumstances, there is no ground for interference under Articles 226 and 227 of the Constitution. Original petition fails. Accordingly, it is dismissed.

**THOTTATHIL B. RADHAKRISHNAN
(Judge)**

**C.T. RAVIKUMAR
(Judge)**

spc/ 12.4.

W.P.(C) No.

2

C.T. RAVIKUMAR, J.

W.P.(C) No.

3

JUDGMENT

September, 2010