

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (L) No. 4645 of 2017

1.Debashish Pramanik
2.Y.P. Anthony
3.T. Bhimul
4.S. Turupati Rao
5.Richard Green
6.Md. Parwaiz
7.Kamal Panda
8.Raj Kumar Mahto
9.Deepak Kumar Gour
10.C. Gangadhar Verma
11.Manoj Kumar
12.Gautam Banerjee
13.Sundar Kumar Joshi
14.B. Chinna Rao
15.T. Ananda Rao
16.Gopal Singh Gurung
17.I. Raja Ramesh
18.K.Timula Rao
19.Rajesh Prasad
20.A. Damaru Nath
21.L. Kasi Rao
22.Khageshwar Pillai @ Khageswar Pillai
23.D. Venkat Kumar
24.Rupesh Kumar
25.S. Kali Das
26.Swapan Paul
27.Raj Kishore Prasad
28.Sanjay Kumar Prasad
29.Lal Babu Singh
30.Jai Ram Singh

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Versus

1.Union of India through the Chairman, Railway Board, New Delhi
2.General Manager, S.E. Railway, Kolkata
3.Chief Personnel Officer, S.E. Railway, Kolkata
4.Divisional Railway Manager, CKP Division, Chakradharpur, Singhbhum (West)
5.Sr.D.P.O. CKP Division, Chakradharpur, Singhbhum (West)

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CORAM: HON'BLE MR. JUSTICE APARESH KUMAR SINGH

HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioners : M/s Vijay Shankar Prasad, Prakash Kumar, Advocates

For the Respondent : Mrs. Neeta Krishna, Advocate

07/22.09.2022 Heard learned counsel for the parties.

2. The original application preferred by the petitioners for regular absorption against Group-D post as extended to other similar persons working in similar Quasi Administrative Units in the Railways in the past, has been rejected by the impugned order dated 21.04.2017 passed in OA/051/00172/2015 with MA/051/00100/2016 (Annexure-8) by the learned Central Administrative Tribunal, Patna Bench, Circuit Bench,

Ranchi. The learned Tribunal taking note of the judgment rendered by the Apex Court in the case of *Secretary, State of Karnataka Vrs. Uma Devi [AIR 2006 SC 1806]* refused to give any direction to absorb the applicants in contravention of the principles laid down in the case of *Uma Devi* (supra). Applicants had also made an alternative prayer for issuance of a direction upon the Fast Track Committee to consider their cases. This was also declined by the learned Tribunal observing that the list of 13 issues under deliberation of the Fast Track Committee includes several operational matters which are not within their domain.

3. Learned counsel for the petitioners has confined his prayer now to a direction upon the Fast Track Committee, which was constituted by the Railway Board vide order dated 01.08.2014 (Annexure-4) to resolve issues of the federations as enclosed at Annexure-I i.e., page 47. It appears from the terms of reference contained in annexure-I to the order dated 01.08.2014 that serial no.11 includes the reference “Absorption of Quasi Administrative Units staff in GP 1800/-, PB-1”.

4. Learned counsel for the Respondent Railways submits that the Fast Track Committee is an over-arching committee constituted by the Railways to resolve issues of the federation but it has not yet submitted its report.

5. In these circumstances, we do not find any harm in granting the petitioners liberty to represent their matter before the Fast Track Committee as one of the issues under reference before the Committee is also related to absorption of Quasi Administrative Units staff.

6. Accordingly, the writ petition is disposed of with the aforesaid liberty.

(Aparesh Kumar Singh, J.)

(Deepak Roshan, J.)