

**Central Administrative Tribunal
Jaipur Bench, Jaipur**

O.A. No. 106/2019

Date of decision: 10.01.2020

**Hon'ble Mr. Suresh Kumar Monga, Member (J)
Hon'ble Mr. A. Mukhopadhyaya, Member (A)**

Babu Sahab Jha S/o Shri Chandan, aged about 52 years, resident of 409, Railway Workshop Colony, Kota Junction, Kota, presently working as Helper, TTM (E), Kota 324004 Group 'D'.

...Applicant.

(By Advocate: Shri Amit Mathur)

Versus

1. Union of India through its General Manager, West Central Railway, Jabalpur-482001 (M.P.).
2. The Chief Personnel Officer, West Central Railway, Indira Market, Jabalpur-482001 (M.P.).
3. The Divisional Railway Manager, O/o Divisional Railway Manager, West Central Railway, Kota Division, Kota-324004 (Raj.).

...Respondents.

(By Advocate: Shri Y.K.Sharma)

ORDER (ORAL)

Per: Suresh Kumar Monga, Member (J):

The present original application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:

"It is, therefore, prayed that the present original application made by the applicant may kindly be

(2)

allowed and the communication dated 06.09.2016 may kindly be quashed and set aside. The applicant may be declared eligible for consideration under the LARSGESS Scheme for the first phase of year 2016. They may be allowed the benefit of LARSGESS Scheme.

Any other relief or direction which this learned Tribunal deems fit in the facts and circumstances of the case may also be passed in favour of applicants."

2. At the very outset, Shri Amit Mathur, learned counsel for the applicant pointed out that in an identical matter i.e. MA No. 627/2018 in OA No. 132/2016, the respondents have filed an affidavit stating therein that they are under an obligation to consider individual representations in terms of the order passed by the Hon'ble Supreme Court for extending the benefit under Liberalized Active Retirement Scheme for Guaranteed Employment for Safety Staff (LARSGESS) Scheme. A copy of the said affidavit as produced by Shri Mathur during the course of hearing is ordered to be taken on record.

3. Learned counsel for the applicant further submitted that the applicant shall move a comprehensive representation and he will be satisfied, if a direction is issued to the respondents to consider the same in terms of their undertaking given in their affidavit filed in MA No.627/2018 in OA No.132/2016 and a reasoned and speaking order is passed within a timeframe.

(3)

4. Keeping in view the aforesaid prayer made by learned counsel for the applicant, the Original Application is disposed of with the observations that if such a representation is filed by the applicant within a period of one month from today, the same shall be considered by the respondents in terms of their undertaking given in their affidavit dated 24.09.2019 filed in MA No.627/2018 in OA No.132/2016 and a reasoned and speaking order shall be passed within a period of two months thereafter. Before taking such a decision, the applicant shall also be afforded an opportunity of hearing.

5. Ordered accordingly. However, there shall be no order as to costs.

(A.Mukhopadhyaya)
Member (A)

(Suresh Kumar Monga)
Member (J)

/kdr/