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Central Administrative Tribunal
Principal Bench

C.P. No. 294 of 2000
in
O.A. No. 1138 of 1999

New Delhi, dated this the 4th July, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Shri Jagdish Singh Rawat &
Others ... Petitioners

(By Advocate: Shri Yogesh Sharma)

Versus

1. Shri S.P. Mehta,
General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. Shri Sukhbir Singh,
Divisional Railway Manager,
Northern Railway,
Delhi Division,
New Delhi. ... Respondents

(By Advocate: Shri R.L. Dhawan)

ORDER (Oral)

S.R. ADIGE, VC (A)

Heard both sides.

2. Vide order dated 11.5.99 in O.A. No. 1138/99 the Tribunal had directed the Respondents to dispose of applicants' representation received by them on 19.11.96 in accordance with rules and instructions within three months.

3. Respondents have disposed of applicants' aforesaid representation by ^{letter}~~order~~ dated 16.9.99 (Annexure R-1).

4. Applicants have challenged the interpretation of rules and instructions taken by respondents while issuing the aforesaid letter dated 16.9.99, in the course of which certain contentious issues have been raised.

5. Having regard to the Hon'ble Supreme Court's ruling in J.S. Parihar Vs. G. Duggar & others JT 1998 (9) SC 608, ~~that~~ the impugned letter dated 16.9.99 gives applicants a fresh cause of action and if applicants are aggrieved by respondents' letter dated 16.9.99 it is open to them to challenge the same separately through appropriate original proceedings in accordance with law, if so advised.

6. Giving liberty as aforesaid the C.P. is dropped. Notices discharged.

A. Vedavalli
(Dr. A. Vedavalli)
Member (J)

S.R. Adige
(S.R. Adige)
Vice Chairman (A)

karthik