

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.539/1997

New Delhi, this 19th day of March, 1997

Hon'ble Shri S.P. Biswas, Member(A)

2

S/Shri

1. Mahabir Singh, s/o Budha Singh
Railway Hartola Colony, Moradabad
2. Rafiq Ahmed, s/o Bhulai
Locvo Shed Colony, Moradabad
3. Rakesh Kumar, s/o Ganga Bishan
Shanti Bhawan Line Par, Moradabad
4. Suresh Kumar Verma, s/o S.L.Verma
Gajerulla Basti, Moradabad
5. Narendra Kumar, s/o Sohan Lal
Hari Singh Ka Mandir, Moradabad
6. Narendra Singh, s/o Amar Singh
Rly. Hartola Colony, Moradabad
7. Raju Singh, s/o Rup Ram
166B, Rly. Hartola Colony, Moradabad
8. Taslim Hussain, s/o Ali Hussain
Faquirpura, Moradabad
9. Vinod Kumar, s/o Prabhu Dayal
Near DRM Office, Moradabad
10. Vinod Kumar Sharma, s/o U.B.Sharma
Rly. Hartola Colony, Moradabad
11. Mahendra Pal Singh, s/o Devi Singh
Village Patel Khalso, Moradabad
12. Mahesh Chandra, Shiv Shankar
Kalika Than, Kapoor Co. Moradabad
13. Harpal Singh, s/o Dayal Singh
Faquir Pura, PAC, Moradabad
14. Ravi Shankar, s/o Daya Shankar
Chaura Mandi Chowk, Moradabad
15. Shailendra Prakash, s/o Yesu Prakash
Near Pili Kothi, Moradabad
16. Kanchan, s/o Badlu Ram
Vill.Jatpura, Moradabad

... Respondents

(Shri S.S. Tiwari, Advocate)

versus

Union of India, through

1. General Manager
Northern Railway
Baroda House, New Delhi

2. Divisional Railway Manager
Northern Railway
Moradabad Dn. UP

... Respondents

ORDER (oral)

Heard the learned counsel for applicants. MA

648/97 for joining together in one application is
allowed.

2. Learned counsel submits that the applicants are herein similarly situated to those in OA 1203/92 decided on 6.8.96. That OA, in turn, was decided following the judgement of the Hon'ble Supreme Court in WP(C) No.262/94 (Dhirender Singh & Ors. Vs. UOI & Ors.). The reliefs prayed for herein are identical as in OA 1203/92 and therefore he would be satisfied if this OA could be disposed of on the same lines.

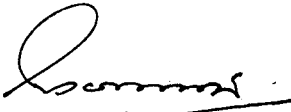
3. Having regard to the ratio of the above judgements and keeping in view the facts and circumstances of the case on hand, this OA is disposed of with the following directions:

(i) The applicants may submit all the evidence that is required to be produced within two weeks from the date of receipt of a certified copy of this order to Respondent No.2 to consider their claim in accordance with the Railway Scheme worked out by the respondents in pursuance of the judgement in Inder Pal Yadav Vs.UOI referred to in the judgement dated 15.12.94;

(ii) Respondent No.2 may either examine the claim and evidence placed before him in person or duly authorise a senior officer to examine the same and submit the findings to him. ~~There-~~ ~~after~~ R-2 shall pass a reasoned and speaking order within a period of three months from the date of receipt of the representation and communicate the decision to the applicants immediately;

(iii) Such of the applicants who are found eligible after such an enquiry shall be entitled to the consequential benefits as provided under the Railway Scheme/rules.

4. The application stands disposed of as aforesaid.
No costs.


(S.P. Biswas)
Member(A)

/gtv/