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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. 191/94

M.A.803/94

New Delhi the 12th August 1994

Hon'ble Shri J.P.Sharma,Member(J)

1. Shri Nanku,
s/o Shri Neemar
r/o B-64,Bhoor Bharat Nagar,
Ghaziabad,U.P

(Last employed as Heli Semi
Fitter in the office of
Divisional Railway Manager,
Northern Railway,New Delhi)

2. Shri Prem Chand,
s/o Shri Nanku,
r/o B-64, Bhoor Bharat Nagar,
Ghaziabad,U.P.

... Applicants

(Shri S.R. Dviwedi Shashi,Advocate)

Versus

1. Union of India,
through
General Manager,
Northern Railway,
Baroda House,
New Delhi.

2. The Divisional Railway Manager,
Northern Railway,
New Delhi Railway Station,
New Delhi.

... Respondents

(Shri H.K. Gangwani,Advocate)

O R D E R (ORA)

Hon'ble Shri J.P. Sharma,Member(J)


The applicant No.1 had retired on 30.6.1992 as Heli Semi Fitter from the office of Divisional Railway Manager, Northern Railway,New Delhi. Applicant No.2 is his son. His son is unemployed.The applicant in this application filed in December 1993 has Prayed that his son Prem Chand may kindly be ordered to be appointed to Group 'D' post on compensate ground.

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2. A notice was issued to the respondents and Shri H.K. Gangwani appeared for the respondents. But inspite of time allowed repeatedly since January 1994 no reply has been filed by the respondents. The matter came up yesterday and Shri H.K. Gangwani stated that he will be orally argue the case on admission.

3. There was a general strike in Northern Railway in 1974 which covered all the employees including of loco shed. In order to give reward to some of the employees, Railway Board has issued a circular in 1975 that those loyal employees who did not participate in the strike call given by the various union of the Railways be rewarded by benefit of either getting one advance increment in their pay or if they are retiring be getting an employment to their eligible ward. The applicant at that time did not claim for this transitory benefit as a loyal railway employee. Now at this point of time after about 10 years the applicant wants to invoke the circular of the Railway Board and desires that on compensate ground the Applicant No.2 be given an appointment to Class IV service in the Railways. Though the Loyalty of the applicant is to be appreciated but ^a ~~case~~ channel cannot be opened to raise old settled cases at the time when there is huge rush craving for employment on merit. The applicant therefore cannot invoke that circular at this point of time. The application does not make out a Prima facie case for admission.

4. In view of the above facts the application is dismissed after hearing the learned counsel for the Respondent Shri H.K. Gangwani.


(J.P. SHARMA)
Member(J)