



**Central Administrative Tribunal
Principal Bench, New Delhi**

**O.A. No. 1948/2020
M.A. No. 2509/2020**

This the 2nd day of December, 2020

(Through Video Conferencing)

**Hon'ble Mr. Pradeep Kumar, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

1. Hari Nath
S/o Ram Avtar
Trackman (Group D)
Aged about 57 years
R/o Railway Colony,
Quarter No. 20/A, Shamli,
Distt. – Muzaffarnagar, Uttar Pradesh – 247776
2. S/o Vijay Kumar
S/o Hari Nath
Aged about 31 years
R/o Railway Colony, Quarter No. 20/A,
Shamli, Distt. – Muzaffarnagar,
Uttar Pradesh – 247776
3. Raj Kumar Singh
S/o Ved Singh (Group D)
Electric/Khalasi/TL
Aged about 59 years
R/o H. No. 563, Gali No. 7, New Vikas Nagar Loni,
Ghaziabad Uttar Pradesh.
4. Arun Kumar
S/o Raj Kumar Singh
Aged about 24 years
R/o H. No. 563, Gali No. 7,
New Vikas Nagar Loni,
Ghaziabad Uttar Pradesh.

...Applicants

(By Advocate: Shri Shalinder Saini)



VERSUS

1. Union of India
Through Secretary,
Railway Board,
Ministry of Railways,
Rail Bhawan, New Delhi.
2. The General Manager,
Northern Railways,
Headquarters Office
Baroda House, New Delhi-110001
3. Divisional Railway Manager
Northern Railways
State Entry Road, New Delhi
4. Principal Chief Personnel Officer
Northern Railway
Headquarters Office
Baroda House, New Delhi-110001

...Respondents

(By Advocate: Shri Krishan Kant Sharma)

ORDER (Oral)

Hon'ble Mr. Pradeep Kumar, Member (A):

The present OA has been filed by four applicants. It is pleaded that Applicant No 1 and 3 had not been granted the benefit of Liberalized Active Retirement Scheme for Guaranteed Employment for Safety Staff (LARSGESS), even though they fulfilled the necessary requirement, including



Medical examination of their sons who are Applicant No. 2 and 4 respectively, at the appropriate point of time.

2. It is submitted that the said Scheme of LARSGESS was also put on hold w.e.f. 27.10.2017 because of certain judicial pronouncements and this may have been the reason why Respondents awaited for clarification from Railway Board. The scheme was finally terminated also vide circular Dt 5.3.2019. However, in respect of cases pending as of 27.10.2017, the matter was adjudicated by Hon'ble Apex Court vide their judgement Dt 26.3.2019 in Writ Petition (Civil) No. 219 of 2019, Narinder Siraswal and Ors Vs UOI and Anr, wherein certain directions were passed.

The operative para reads as under:

“xxxxx Since the petitioners are claiming benefit under the scheme which was prevalent when applications were preferred by the petitioners, we give liberty to the petitioners to approach the concerned authorities with appropriate representations. If such representation is made, the authorities will do well to consider the matter within two weeks on preferring of the representations. With these observations, the writ petition stands disposed of. Pending application(s), if any, shall stand disposed of.”



3. Since the applicants satisfied the conditions when the LARSGESS scheme was still applicable and they were not granted appointment, and their case is covered under the Hon'ble Apex Court judgment (Para 2 supra), and they have also preferred separate representations e.g. Applicant 1 on dated 13.06.2019 & 24.6.2019, and these have not been replied as yet, feeling aggrieved, the instant OA has been filed.

4. The matter has been heard. Issue Notice.

5. Shri Krishna Kant Sharma, learned counsel appears on behalf of Respondents, on advance information, and accepts notice. It is pleaded that the applicants belong to separate posts and joining, sought in MA, cannot be allowed. And accordingly OA is not maintainable.

6. At this stage the learned counsel of Applicants submits that they will be satisfied if certain time bound directions can be given to Respondents to decide their pending representations.

7. Keeping in view of above, the present OA is disposed of at admission stage itself, without going into merits of the case, with a direction to the respondents to pass a reasoned



and speaking order on the aforesaid pending representations of the applicants herein separately, keeping in view with the directions of the Hon'ble Apex Court in para 2 above, within a period of four weeks, under advise to the applicants.

Pending MA also stands disposed of accordingly. No costs.

(R.N. Singh)
Member (J)

(Pradeep Kumar)
Member (A)

/daya/akshaya/