

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

(40)
(W)

1. RA 130/94 in O.A. 310/89
2. RA 131/94 in O.A. 944/88
3. RA 132/94 in O.A. 551/88
4. RA 133/94 in O.A. 1818/88
5. RA 134/94 in O.A. 74/89
6. RA 135/94 in O.A. 58/88
7. RA 136/94 in O.A. 548/88
8. RA 137/94 in O.A. 1574/88
9. RA 220/91 in O.A. 1572/88

New Delhi this the 1st Day of July 1997

Hon'ble Dr. Jose P. Verghese, Vice Chairman (J)
Hon'ble Shri S.P. Biswas, Member (A)

1. RA 130/94 in O.A. 310/89

Shri Tara Singh & Ors. Petitioners

2. RA 131/94 in O.A. No. 944/88

Shri A. Michel, & Ors. Petitioners

3. RA 132/94 in O.A. No. 551/88

Shri Kaluram D, & Ors. Petitioners

4. RA 133/94 in O.A. No. 1818/88

Shri Daulat Ram Sharma & Ors Petitioners

5. RA 134/94 in O.A. No. 74/88

Shri Basant Lall & Ors. Petitioners

6. RA 135/95 O.A. No. 58/88

Shri M.L. Tiwari, & ors Petitioners

7. RA 136/94 in O.A. No. 548/88

Shri Babulal Sharma & Ors Petitioners

8. RA 137/94 in O.A. No. 1574/88

Shri Gopal Singh & Ors Petitioners

9. RA 220/91 in O.A. No. 1572/88

Shri G. Kuppuswamy & Ors Petitioners

(By Advocate: Shri G.D. Bhandari)

-Versus-

1. Union of India through
The Chairman,
Railway Board,
Rail Bhawan, New Delhi.
2. The General Manager,
Western Railway,
Churchgate, Mumbai. Respondents

By Advocate: Shri O.P. Kashtriya)

(W) (J)

O R D E R (Oral)
(Dr. Jose P. Verghese, Vice-Chairman (J))

These petitioners belong to the Running Staff in Railways which includes the categories such as Drivers, Shunters, Firemen, Guards, etc. etc. and are seeking running allowance under Rule 507 of Indian Railway Establishment Manual. The impugned orders seem to have been passed without applying the Full Bench decision given at Bangalore Bench in OA Nos. 3995 to 4009/91 decided on 16.12.1993 by which the Court had granted running allowance to those petitioners. Thereafter vide order dated 11.2.1994, applying the said decision of the Full Bench in RA filed against the OA which had earlier been disposed of, this court had also granted the benefit to similarly placed employees.

In the circumstances we would also dispose of all these RAs in the same terms on which RA 220/91 in OA 1572/88 had been allowed. The order in the said RA dated 11.2.1994 shall be part of the order in these RAs and copy thereof may be appended to this order as well.

Learned counsel for the respondents had pointed out that the respondents have filed an SLP against both the orders of Full Bench as well as that of the Division Bench of this Tribunal and submits that the decision in this regard is still pending, while the learned counsel for the petitioners stated that the said matter has been decided on 10th April, 1997 in civil appeal No. 4194 and 4182/95 in the matter of Chairman, Railway Board and Ors. vs. C.R. Ranganathan & Ors. But they are unable to produce the copy of order. These RAs have been pending in this court for a

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considerably long time and in view of the fact that we are inclined to allow these RAs in accordance with the above cited orders of this court namely the one dated 11.2.1994 and since this court, is bound by the Full Bench decision, we propose to dispose of these RAs at present. In case the decision of the Hon'ble Supreme Court is forthcoming in the meantime, this order shall be treated as subject to the orders of the Supreme Court which has either already been passed or may be passed by the Hon'ble Supreme Court.

In view of the above observations, these RAs are disposed of with no order as to costs.


(S.P. Biswas)
Member (A)

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(Dr. Jose P. Verghese)
Vice-Chairman (J)