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Central Administrative Tribunal
Principal Bench: New Delhi

...
OA No. 1553/90

New Delhi, this the 3~~rd~~ day of October, 1997

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

1. Chander Chur Singh
s/o Battey Kishan
Guard 'A' Spl.
 2. Ramesh Chander Shukla
s/o Jai Lal Shukla
Guard 'A' Spl.
 3. Radhey Shyam Pandey
s/o Lalta Prasad Pandey
Guard 'A' Spl.
 4. A.S. Tewari s/o
Laxmi Narain Tewari
Guard 'A' Spl.
 5. Rajinder Prakash
s/o Ram Avtar
Guard 'A' Spl.
 6. Ram Bodh Misra
s/o Udit Narain Misra
Guard 'B'
 7. Om Prakash Chopra
s/o G.R. Chopra
Guard 'A' Spl.
 8. G.R. Barwa s/o
Kali Kumar Barwa
Driver 'C'
 9. Brij Kishore Tewari
s/o Har Charan Lal Tewari
Driver 'B'
 10. Y.D. Pandey s/o
Shiv Dayal Pandey
Driver 'C'
 11. Partap Singh s/o
Nanak Singh
Shunter
 12. Shankar Dayal Pandey
s/o Gur Pratap Pandey
Driver
(All working in Northern Railway, Lucknow)
 13. Shiv Govind
s/o Mata Badal
Driver, Northern Railway,
Moradabad.
- ...Applicants
- (By Advocate: Shri G.D. Bhandari)

versus

Union of India through

1. Chairman,
Railway Board,
Rail Bhawan,
New Delhi.

2. The General Manager,
Northern Railway,
Baroda House,
New Delhi.

...Respondents

(By Advocate: Shri O.P.Kshatriya)

O R D E R

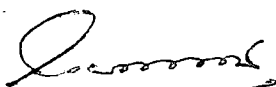
[Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)]

The 13 applicants in this case were working as members of the Running Staff such as Drivers, Guards, Shunters etc. and were all retired prior to 31.12.1985 on attaining the age of superannuation. Petitioners were infact entitled to running allowance under Rule 507 of the Indian Railway Establishment Manual. Petitioners were claiming the said relief in accordance with the decision of the Full Bench which in turn was subject matter of appeal to Supreme Court by way of Special Leave. The Hon'ble Supreme Court by an order dated 22.4.1994 stayed the operation of the impugend order which was on all four scores, appliable to the case of the petitioner and the said S.L.P. Nos. 5452-60/94 was to be heard alongwith SLP (Civil) No. 10373/90.


We had disposed of a number of petitions including review petitions which have been filed after the Full Bench decision of this court on the ground that the petitioners in the said review petitions will be entitled to the same relief as granted by the Hon'ble Supreme Court by their order dated 10.4.1997 in Civil Appeal No. 4174 and 4182 of 1995 in the matter of Chairman, Railway Board and

Ors. Vs. R.Ranganathan and Ors. It is pertinent to mention that this Civil Appeal Number has been given to all the above said corresponding SLPs. The petitioners therein were also not able to produce the copy of the said order; so too, in the present case. The orders passed therein by us on 1.7.1997 in RAs Nos. 130, 131, 132, 133, 134, 135, 136, 137 of 1994 and RA 220 of 1991 in OA Nos. 310/89, 944, 551, 1818 of 1988; 74/89 and 58, 548, 1574, 1572 of 1988 respectively will also be applicable to the present case as well, on a "mutatis mutandis" basis. Respondents shall give the benefit of the Full Bench decision to these petitioners subject to the decision of the Hon'ble Supreme Court in the above said case and give these petitioners the same relief in the same manner as the petitioners in the above said RAs are given and grant them the benefits given by the Full Bench subject to the decision of the Hon'ble Supreme Court in the above said cases. Respondents shall pass appropriate orders within eight weeks from the date of receipt of the copy of the order of Hon'ble Supreme Court referred to hereinabove or within eight weeks from the date on which the petitioners bring the fact of the decision of Hon'ble Supreme Court to the notice of the respondents.

With these above observations, this Oa is disposed of. There shall be no order as to costs.


(S.P. Biswas)
Member (A)

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