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

O.A. No.2878/2004

Thursday, this the 2nd December 2004

Hon'ble Shri Justice M. A. Khan, Vice Chairman (J)
Hon'ble Shri S. K. Naik, Member (A)

Technical Employees Association of Railways
C-222 Pul Prahladpur
New Delhi

Through

1. Shri Umesh Dutt Sharma
Branch Secretary
Technician Grade I
Under Sr. Divisional Elect. Engineer (TRS)
West Central Railway
Tughlakabad, New Delhi
2. Shri Pramod Kumar Pathak
s/o Shri Moti Lal Pathak
Technician Gr. III
3. Durga Prasad
s/o Shri Ram Prasad
4. Shri Brij Lal Gautham
s/o Shri Prabhu Dayal Gautham
5. Shri Chander Mohan
s/o Shri Khyali Ram
6. Shri Ramesh Chand Gupta
s/o Shri Dhanna Lal
7. Khyali Ram Saini
s/o Shri Inder Ram Saini
8. Shri Nawab Singh
s/o Shri Talawer Singh
9. Shri Chetan Sharma
s/o Shri Om Prakash
10. Shri Chote Singh
11. Shri Om Prakash

All working as Technical Grade.III under Senior Divisional
Elect. Engineer (TRS), West Central Railway,
Tughlakabad, New Delhi

...Applicants

(By Advocate: Smt. Meenu Mainee for Shri B.S. Mainee)

Meenu Mainee

Versus

Union of India through

1. The Secretary,
Railway Board
Ministry of Railways,
Rail Bhawan, New Delhi
2. The General Manager
West Central Railway
Jabalpur (MP)
3. The Divisional Railway Manager
West Central Railway
Kota (Rajasthan)
4. The Sr. Divisional Electrical Engineer
Electric Loco Shed
West Central Railway
Tughlakabad, New Delhi.

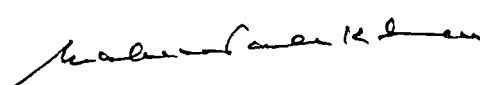
...Respondents

ORDER (ORAL)**By Shri Justice M.A. Khan:-**

The applicants have filed this OA for a direction to the respondents to consider the grant of benefit of upgradation from 1.9.1998 from which date the benefit was due to be given in accordance with the Railway Board's instructions, with all consequential benefits. In the OA, it is alleged that similarly placed persons have been granted this benefit and a representation was made to the respondents for treating the applicants with equality. It is also alleged that the representation has not been decided by the respondents as yet.

2. Learned proxy counsel for applicants has submitted that the present OA may also be treated as an additional representation made by the applicants and the respondents be directed to decide the previous representation along with the additional representation within a specified period.

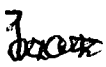
3. In view of the facts and the submissions made on behalf of the applicants, we are of the considered view that the OA may be disposed at this stage, even without service of notice on the respondents, treating this OA as an additional representation made by the applicant. We, therefore, direct the respondents to consider the previous representation made by the

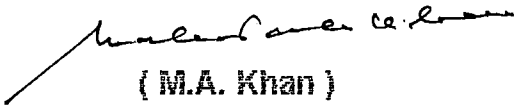


(3)

applicants along with the additional representation, as above and decide the same by passing a speaking and reasoned order, within a period of four months from the date on which the representations are received by the respondents.

4. With these directions, OA stands disposed of.


(S. K. Naik)
Member (A)


(M.A. Khan)
Vice Chairman (J)

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