

34

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP 291/2004
OA 134/2004

New Delhi, this the 7th day of February, 2005

Hon'ble Mr. Shanker Raju, Member (J)
Hon'ble Mr. S.K. Malhotra, Member (A)

1. Shri Sham Lal S/o Shri Ram Lal
Working as Khallasi
Under Section Engineer (Works)
Northern Railway,
Delhi Kishanganj-I, Delhi.
2. Shri Veer Bhan S/o Shri Goverdhan
Working as Fitter
Under Section Engineer (Works)
Northern Railway,
Delhi Kishanganj-I, Delhi.
3. Shri Ram Dhiraj S/o Shri Jai Ram
Working as Khallasi
Under Section Engineer (Works)
Northern Railway,
Delhi Kishanganj-I, Delhi.
4. Shri Shanker Prasad S/o Shri Ram Ajore
Working as Khallasi
Under Section Engineer (Works)
Northern Railway,
Delhi Kishanganj-I, Delhi.
5. Shri Mathura S/o Shri Jagan Nath
Working as Fitter
Under Section Engineer (Works)
Northern Railway,
Delhi Kishanganj-I, Delhi.
6. Shri Pardesi S/o Shri Ram Pat
Working as Mason
Under Section Engineer (Works)
Northern Railway,
Delhi Kishanganj-I, Delhi.
7. Shri Istiyaq S/o Shri Hayat Khan
Working as Khallasi
Under Section Engineer (Works)
Northern Railway,
Delhi Kishanganj-I, Delhi.
8. Shri Devi Dayal S/o Shri Ram Pal
Working as Carpenter
Under Section Engineer (Works)
Northern Railway,
Delhi Kishanganj-I, Delhi.

9. Shri Khub Chand S/o Shri Matroo Ram
Working as Khallasi
Inspector of Works,
Northern Railway,
Minto Bridge, New Delhi

10. Shri Hiza Lal S/o Shri Govinda Ram
Working as Helper
Under Section Engineer (Works)
Northern Railway,
Delhi Kishanganj-II, Delhi.

11. Shri Dina Nath S/o Shri Duknj Ram
Working as Helper
Under Section Engineer (Works)
Northern Railway,
Delhi Kishanganj-II, Delhi.

12. Shri Putti Lal S/o Shri Ram Dulary
Working as Zamadar Khallasi
Under Claim Office
Northern Railway,
Estate Entry Road
New Delhi.

13. Shri Munna S/o Shri Pawan
Working as Senior Div. Medical Officer
Northern Railway,
Ghaziabad.

14. Shri Danni Chand S/o Shri Jageshwar
Working as Hamerman
Under Section Workshop
Northern Railway,
Ghaziabad.

... Applicants

(By Advocate Shri Amit Anand)

Versus

1. Shri R.R. Jaruhara
General Manager,
Northern Railway,
Baroda House,
New Delhi.

2. Shri Pradeep Kumar Goyal
Divisional Railway Manager
Northern Railway,
State Entry Road,
New Delhi.

3. Shri S.K. Sapra
The Section Engineer (Works)
Northern Railway,
Delhi Kishan Ganj-II,
New Delhi.

4. Smt. Tanu Chandra
The Senior Divisional Finance Manager,
Northern Railway,
State Entry Road,
New Delhi.

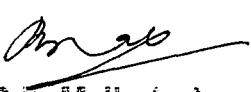
O R D E R (ORAL)

Mr. Shanker Raju, Member (J) :

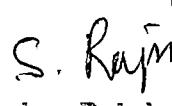
In pursuance of our directions dated 23.1.2004 in OA 134/2004, respondents have issued order dated 5.1.2005. Though other applicants have been granted the benefits, applicants, namely, Shri Putti Lal, Shri Munna and Shri Danni Chand were denied the same on the ground that after a lapse of nearly 25-28 years, the documents are not traceable and if any documentary evidence is available with the applicants, the same shall be produced and thereafter their claims would be processed. Learned counsel for the applicants has drawn our attention to the decision of the Single Bench in OA 2747/2003 in the case of Amar Nath & Ors. Vs. Union of India & Ors. decided on 22.12.2004 wherein the same plea of the respondents that the case is not maintainable after a lapse of 30 years, has been rejected on the ground that it is obligatory on the part of the respondents to maintain such records.

2. In this view of the matter, while disposing of this C.P., we direct the respondents to re-consider the claim the applicants in the light of the above judgement (supra) by passing a detailed and speaking order within a period of two months from the date of receipt of a copy of this order. CP is dismissed. Notices are discharged.

3. However it shall not preclude the applicants to revive this CP if they are still aggrieved.


(S.K. Malhotra)

Member (A)


(Shanker Raju)

Member (J)