

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.740 OF 1996
ALLAHABAD THIS THE 18TH DAY OF NOVEMBER,2003

HON'BLE MR JUSTICE S. R. SINGH, VICE-CHAIRMAN
HON'BLE MR. D. R. TIWARI, MEMBER-A

Dhruva Jee Agrawal,
son of Late Kunj Behari Agrawal,
r/o K18/63 Raj Mandir,
Varanasi.Applicant

(By Advocate Sri V.K. Srivastava)

Versus

1. Union of India,
through its General Manager,
Northern Railway,
Baroda House,
New Delhi.

2. Chief Commercial Manager,
Northern Railway,
Station Building,
Varanasi.

.....Respondents

(By Advocate Shri A.K. Gaur)

ORDER

HON'BLE MR JUSTICE S. R. SINGH, VICE-CHAIRMAN

This application has been instituted for the following
reliefs:-

"i)That by means of suitable order or direction in the
nature of mandamus commanding the respondents to provide
the benefit of judgment and order dated 3.11.1995 passed
by this Court (Tribunal) and to fix the seniority of the
applicant over and above all the applicant of earlier
original application no.1233 of 1987 and to provide all
the benefit as are admissible under rule.

ii)That by means of the suitable order or direction
commanding the respondents to make the payment of

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pension to the applicant after making the re-fixation of revised pension by revising the pension order dated 01.06.1995 keeping in view the order dated 03.11.1995 passed by this Tribunal with all consequential benefit as are admissible under rule."

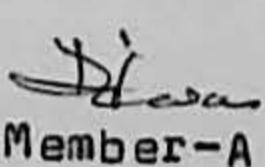
2. It would appear from the record that the applicant moved a representation dated 05.02.1996 to the General Manager, Northern Railway, Baroda House, New Delhi, seeking benefits of the judgment rendered by the Tribunal in O.A. No.1233/87 in the case of Ansar Ali and Others Versus U.O.I. And Others decided on 03.11.1995.

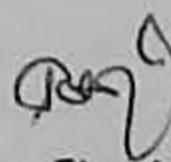
3. The learned counsel for the respondents, however, submits that the applicant is not entitled to the benefits of the said judgment, in view of the fact that he has already been retired.

4. Having heard counsel for the parties, we are of the view that ^{the} question as to whether the applicant is entitled to the benefit of the judgment rendered by the Tribunal in O.A. No.1233/87 in the case of Ansar Ali and Others Versus U.O.I. and Others decided on 03.11.1995 ^{is} to be decided by the competent authority while disposing of the representation filed by the applicant.

5. We are of the considered view, that it would met the ends of justice if we direct the respondents to decide the representation of the applicant, filed as Annexure A-2, in accordance with law by passing a reasoned order within a period of three months from the date of production of the certified copy of the order alongwith the copy of the representation (Annexure A-2).

6. The application stands disposed of in terms of above direction. No order as to costs.


Member-A


Vice-Chairman