

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD

Original Application No. 1616 of 2001

this the 27th day of August 2002.

Hon'ble Mr. S. Dayal, Member (A)
Hon'ble Mr. A.K. Bhatnagar, Member (J)

1. Miss Usha Rani Nigam, D/o late Sri Ram, Narayan Nigam.
2. Smt. Sheela Rathore, w/o Sri Shanker Singh Sengar.
3. Smt. Swarnlata, w/o Sri Narendra Kumar.
4. Miss Pushpa Gunthey, D/o late Sri Govind Rao Gunthey.
5. Smt. Anju Tripathi, w/o Sri Surendra Kumar Tripathi.
6. Smt. Kusumlata Khare, w/o Sri Ambika Prasad Srivastava.
7. Km. Chandrima Bhatnagar, D/o late Sri Narayan Swaroop.
8. Smt. Nitrawati, w/o Sri Daulat Ram.
9. Smt. Kiran Kapoor, wife of Sri Virendra Kapoor.
10. Smt. Sujata Tripathi, wife of Sri Rajendra Kumar Tripathi.
11. Smt. Maya Shah, wife of Sri Pradeep Kumar Shah.
12. Manju Pandey wife of Sri Satya Prakash Pandey.
13. Smt. Kalpana Karauliya, wife of Sri Ajay Sanadhyा.
14. Smt. Renu Kanchan, wife of Sri Prahlad Kanchan.
15. Smt. Kiran Kalra, wife of Sri Rajesh Kapoor.
16. Smt. Chanchal Kapoor, wife of Sri Ghyan Kapoor
Petitioner no. 1 is working as Head Mistress and
2-16 are working as Assistant Teachers in Bal
Mandir Junior High School, Industrial Area Railway
Gariya Marg Jhansi.
17. Smt. Malti Devi, wife of late Sri Mahendra Singh.
18. Smt. Shiv Kumari, wife of Sri Subramani Pillai.
19. Smt. Urmila, wife of Sri Prem Narayan Pathak.

All above working as peon in Bal Mandir Junior High
School Industrial area Railway Gariya Marg Jhansi.

.....Applicants

By Advocate : Vinod Singh/S.P. Singh

Versus.

1. Union of India through General Manager of Central Railways, 1 C.S.T. Mumbai.

2. Railway Board New Delhi, through its Chairman.

3. General Manager Central Railway C.S.T. Mumbai.

4. Bal Mandir Junior High School Goria Marg.

~~5.~~ Railway Industrial Area, Jhansi through its President / ADRM II Jhansi.

Respondents.

By Advocate: Sri Vinod Kumar for Sri K.P. Singh.

O R D E R (ORAL)

BY HON'BLE MR. S. DAYAL, MEMBER(A)

This application has been filed for a direction to the respondents to fix the salary of the applicants in the revised pay scale in accordance with the recommendations of Vth Pay Commission and to grant other benefits as admissible to Railway employees. A direction is also sought for treating the applicants as railway employees.

2. The applicants have claimed that Railway Settlement Notified Area Committee, Jhansi was constituted to avoid the inclusion of Railway property within Jhansi Municipal Area. The Railway Administration/Administators maintains Railway Settlement Notified Area and has also set-up Bal Mandir Junior High-School. The Railway has always objected to the merger of Railway Settlement Notified Area, Jhansi to the Nagarpalika of Jhansi. The applicants have also mentioned that the Railway Settlement Notified Area has subsequently been declared as Railway Industrial Area and is still being managed by the Railway Officials. The Railway Administration have not permitted to take over the school so that it could be run by the Basic Shiksha Parishad, U.P. It is claimed that the children of the railway employees are studying in the school. The applicant have sought the relief in the backdrop of the above facts. The applicants have filed a representation on 05-10-2001 mentioning the above facts and have stated that the

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Railway administration has given no reply to the said representation.

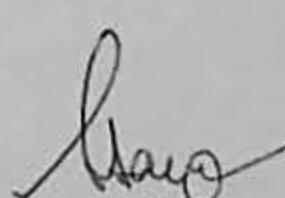
3. We have heard the arguments of Shri Vikas Sahai brief holder for Shri V. Sinha, counsel for the applicants and Shri Vinod Kumar brief holder of Shri K.P.Singh, counsel for the respondents.

4. The respondents have been given time to file counter affidavit, but the same is not on record. The learned counsel for the applicants ~~prayed~~ that the respondents be directed to decide the representation annexed as Annexure A-12 in a time bound manner. This prayer is acceptable to the learned counsel for the respondents.

5. The respondents are accordingly directed to decide the representation dated 05-10-2001 (Annexure A-12) within a period of three months from the date of receipt of copy of this order, by a reasoned and speaking order. For facilitating the work of the respondents, a copy of the said representation shall be made available to the respondents along with a copy of this order by the applicants. No costs.


Member (J)

Girish/


Member (A)