

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 23rd day of January 2002.

Diary no. 6067 of 2001

Original Application no 56 of 2001. (U)

Hon'ble Mr. Justice RRK Trivedi, Vice-Chairman  
Hon'ble Maj Gen K.K. Srivastava, Administrative Member

1. Neel Kamal, S/o Sri Ajeet Ram,  
R/o T-12-B, Railway Colony,  
Dehradun.
2. Vishal Rishi Mathur, S/o late M. Swaroop,  
Mathur, R/o Job Pliant, 82, Ghosi Gali,  
Near Panchayati Mandir, Dehradun.
3. Rakesh Hindu, S/o Sri Subhash Chandra,  
R/o L-10-F, Railway Colony,  
Dehradun.
4. Pratul Kumar Rajput, S/o Sri Gautam Singh,  
R/o 446/1, Geetanjali Vihar, Roorki,  
Distt Haridwar.

... Applicant

By Adv : Sri A. Srivastava  
Sri KK Charuasia

Versus

1. Union of India through General Manager,  
Northern Railway, Baroda House, New Delhi.
2. Chairman, Railway Recruitment Board,  
Baroda House, New Delhi.
3. Divisional Railway Manager, N. Rly., Moradabad Div.,  
Moradabad.

.... Respondents

By Adv : Sri P Mathur

....2/-



2.

ORDER

Hon'ble Mr. Justice RRK Trivedi, VC

By this OA, filed under section 19 of the A.T. Act, 1985, the applicants have prayed for direction to the respondents to consider the case of the applicant for appointment on any suitable post in loyal quota which was created in 1974. The grievance of the applicant <sup>is</sup> ~~are~~ that the applicants claimed the aforesaid <sup>benefit</sup> by making representation on 17.7.2001, 21.8.2001 & 25.7.2001. However, no orders have been passed on the said representations and the same <sup>are</sup> ~~is~~ still pending.

2. Sri A. Srivastava, learned counsel for the applicant placed reliance on the order passed by this Tribunal in OA 1383/93 filed as annexure 9 and has submitted that if representation is filed by the applicants it ought to have been decided by the respondents and it cannot be kept pending.

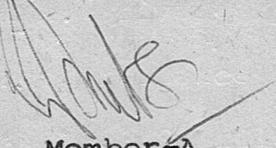
3. Sri P Mathur, learned counsel for the respondents on the other hand submitted that applicants have approached this Tribunal after more than 25 years and they are not entitled for any relief. Sri P Mathur has further submitted that the scheme of 1974 was one time scheme and it cannot be kept alive for indefinite period. Sri Mathur has placed reliance on the judgment of this Tribunal dated 30.3.2001 in OA 1338/00, Sunil Kumar Singh Vs. U.O.I. & Ors and the judgment dated 23.5.1996 passed in OA 236/96 Virendra Kumar Vs. U.O.I. & Ors.

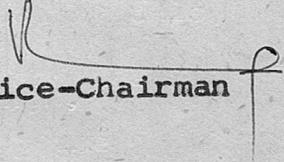
....3/-

3.

4. We have carefully considered the submission of learned counsel for the parties. However, we do not intend to decide this OA on merit as representations filed by the applicants have also not been decided by the respondents. The OA is accordingly disposed of finally with the direction to respondent no. 3 to consider and decide the representations of the applicants in the light of the orders of this Tribunal mentioned above. It shall be open to the applicants to file copy of the judgment mentioned in this OA before respondent no. 3.

5. There shall be no order as to costs.

  
Member-A

  
Vice-Chairman

/pc/