

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 11th day of OCTOBER 2004.

Original Application no. 1197 of 2004.

Hon'ble Mr. A.K. Bhatnagar, Member-J
Hon'ble Mrs. Roli Srivastava, Member-A

1. Sukh Lal, S/o Late Sri Laloo,
R/o Block 14 Out House, Q. No. 4, North Loco Colony,
Kanpur.
2. Shiv Shankar, S/o Late Sri Shiv Ratan,
R/o H. No. 973 Ke Sanme Jhopari Janm Astami Colony,
NCR, Kanpur
3. Jagjit, S/o Late Sri Nidhi Lal,
R/ Qr No. 41B, Loco South Colony,
Kanpur.

... Applicants

By Adv : Sri B.N. Singh

V E R S U S

1. Union of India through General Manager,
N.C. Rly., Allahabad.
2. Divisional Railway Manager, N.C. Rly.,
Allahabad.
3. Divisional Mandal Engineer (III),
N.C. Rly., Allahabad.
4. Asstt. Engineer Works (I), N.C. Rly.,
Kanpur.

... Respondents

By Adv : Sri A.K. Gaur

O R D E R

A.K. Bhatnagar, JM

By this O.A., filed under Section 19 of the A.T.
Act, 1985, the applicant has prayed the following reliefs:

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- i) to issue order or direction in the nature of mandamus to the respondents to pay the pay of Valveman grade Rs. 260-400 (950-1500) from the date of their initial working as Valveman and till date in future as and when the salary falls due.
 - ii) to issue order or direction in the nature of Mandamus to directing the respondents to regularise the service of the applicants as Valveman and declare the applicants as artisen staff from the date when they became Valveman and given all consequential benefits.
 - iii) to issue order or direction in the nature of Mandamus to the respondents to pay arrears of salary and allowances from the date 01.08.1982, when the order implemented."

2. The learned counsel for the applicants submitted that the applicants have made representation dated 20.09.2004 stating that they are working as / similarly situated employees who got the pay scale of Valveman as per Railway Board's letter dated 13.11.82, 2.12.82 and 15.12.82. In the circumstances the applicants are also entitled for the same.

3. Applicants counsel submitted that the applicants will be satisfied, if the representation so filed by the applicants is decided by the respondents within the stipulated period in the light of the judgments mentioned in his representation dated 20.09.2004 (Ann A4). We are of the view that the ends of justice shall be better served if the representation of the applicants is disposed of by the respondents, within a specified period.

...3/-


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4. We have heard learned counsel for the parties considered their submission and perused records. In view ^{of} the facts and circumstances we find that this O.A. can be disposed of at the admission stage itself without calling for counter affidavit.

5. Accordingly, the O.A. is finally disposed of at the admission stage itself with a direction to respondent no. 2 i.e. Divisional Railway Manager, N.C. Rly., Allahabad to consider and dispose of the representation of the applicants dated 20.9.04 in the light of judgments mentioned therein by means of a reasoned and speaking order, in accordance with law within a period of three months from the date of receipt of copy of this order. For convenience sake the applicants may file copy of his representations dated 20.9.04 alongwith cited judgments alongwith copy of this order for an early decision in this matter.

6. There shall be no order as to costs.


Member (A)


Member (J)

/pc/