

(1)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER 1307 OF 2005

ALLAHABAD THIS THE 10 DAY OF NOVEMBER, 2005

HON'BLE S.C. CHAUBE, MEMBER (A)

1. H.S. Chauhan, a/a 40 years, S/o Sri B.S. Chauhan, R/o 446, Civil Lines, Station Road, Jhansi.
2. J.P. Pandey, a/a 41 years, S/o Sri K.N. Pandey, R/o 1244, Civil Lines, Jhansi.
3. B.K. Seth, a/a 38 years, S/o Sri P.K. Seth R/o 692/3A 2C behind Chandra Hotel, Jhansi.
4. R.K. Jain, a/a 39 years, S/o Sri Gulab Chand Jain, R/o 692/3A, behind Chandra Hotel, Jhansi.
5. R.P. Gupta, a/a 42 years, S/o Sri R.K. Gupta, R/o infront of Prem Nagar Thana, Jhansi.
6. Shirish Upadhyay, a/a 41 years, S/o Late Manmali Upadhyay, R/o 98, Ganesh Madia, Jhansi.
7. Syed Tanviruddin, a/a 38 years, S/o Sri Rafiquddin, R/o 77, Baldeo Prasad Compound infront of Tehsil Jhansi.
8. Neeraj Garg, a/a 39 years, S/o Sri N.L. Agarwal, R/o 200, Sadar Bazar, Jhansi.
9. Anoop Arjaria a/a 40 years, S/o Late R.D. Arajaria, R/o 829, Bank Colony, Gallamandi, Jhansi.
10. Satish Srivastava, A/a 39 years, S/o Sri R.B. Srivastava, R/o Ramjankipuram, Mehndi Bagh, Jhansi.
11. Sarvesh Srivastava, a/a 38 years, S/o Late Kedar Nath Srivastava, R/o 1397, Sharda Hills, Antia Tal, Jhansi.
12. D.K. Sachan, a/a 39 years, S/o Sri K. Sachan, R/o Sipri Bazar, Jhansi.
13. Mithilesh Khare, a/a 40 years, S/o Late Lakan Lal Khare, R/o A- 125, Deen Dayal Nagar, Jhansi.
14. R.P. Shukla, a/a 38 years, S/o Sri H.S. Shukla, R/o Near Ras Bahar Colony, Sipri Baxar, Jhansi.
15. Rajendra Saxena, a/a 39 years, S/o Sri J.L. Saxena, R/o 1348, IC Gondu Compound, Civil Lines, Jhansi.
16. Somkant Khare, a/a 39 years, S/o Sri K.G. Khare, R/o A- 48, Deendayal Nagar, Sipri Bazar, Jhansi.
17. Altaf Siddiqui, a/a 41 years, S/o Sri Siraj Hussain,

Chaubey

(2)

R/o 530/8, Dhyanchand Colony, Sipri Bazar, Jhansi.

18. Brijesh Srivastava, a/a 40 years, S/o Late R.S. Srivastava, R/o 80/32-B, Civil Lines, Jhansi.
19. Waheed Khan, a/a 40 years, S/o Sri Bassar Khan, R/o 32, Tilyani Bazaria, Jhansi.
20. Syed Ashi Hussain, a/a 40 years, S/o Sri Manjru Hussain, R/o 770, Khati Baba, Jhansi.
21. Rajiv Jain, a/a 42 years, S/o Sri Hukum Chand Jain, R/o Masiha Ganj, Arya Kanya Chauraha, Sipri Bazar, Jhansi.
22. R.S. Naik, a/a 40 years, S/o Sri P.L. Naik, R/o Vardan Vyas, Jhansi.
23. Pawan Jhaskharia, a/a 42 years, S/o Sri K.N. Jhaskharia, R/o Toria Narsingh, Jhansi.
24. Lalji Awasthi, S/o Sudarshan, R/o Masiha Ganj, Jhansi.

.....Applicants

(By Advocate: Shri R. K. Nigam)

V E R S U S

1. Union of India through the General Manager, North Central Railway, Allahabad.
2. Divisional Railway Manager.

North Central Railway, Jhansi.

..... Respondents

(By Advocate: Shri _____)

O R D E R

The applicants, 24 in number had applied for Non-Technical Popular Category through Railway Recruitment Board. After passing written as well as viva voce held on 26.05.1985 and 05.03.1986 respectively, they were placed on the select list. In the normal course, they should have been issued appointment letters immediately after they had passed the written/viva voce and panel having become functional. However, due to vigilance investigation against the entire panel/batch of 1/80-81 (Category No. 25) i.e. earlier panel of the applicants, the actual appointment

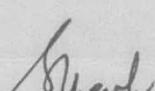
Shank

letters in respect of the incumbents of the previous panel were delayed and held in abeyance up to 1989. However, the civil rights of the individuals of the earlier batch were kept intact. After their delayed posting, the above incumbents were given the facility of notional benefit of First Class Railway pass as well as notional seniority and they were deemed to have been posted on different dates when they would have been so posted but for the pendency of vigilance investigation. The applicants have referred to M/o Railway Letter dated 01.02.1999 relating the prescribed criteria for extending the benefit of First Class Pass.

2. Through this O.A the applicants have sought direction to respondents to allow them facility of the First Class Pass on reaching their pay at Rs. 5375/- . Learned counsel for the applicants stated that they will be satisfied, if a direction for time bound consideration and disposal of the representation of the applicants is issued.

3. I am, therefore, of the considered view that respondent No. 1 and 2 should be directed to consider and dispose of the representation filed by the applicants within a period of 4 months from the date a copy of this order is filed and pass a reasoned and speaking order under intimation to the applicants. He is directed accordingly. Applicant is also given liberty to file a fresh copy of representation along with copy of this order, if so advised.

4. With the aforesaid observation, the O.A is disposed of at the admission stage with no order as to costs.


MEMBER- A.