

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

ORIGINAL APPLICATION NUMBER 145 OF 2005

ALLAHABAD THIS THE 23<sup>rd</sup> DAY OF FEBRUARY 2005

HON'BLE MR. JUSTICE S. R. SINGH, VICE-CHAIRMAN  
HON'BLE MR. S. C. CHAUBE, MEMBER (A)

1. Laliteshwar Prasad Singh,  
Aged about 50 years,  
Son of Late Ram Japu Prasad Singh,  
Resident of 1205-C European Colony,  
EC Railway, Mughalsarai,  
District-Chandauli.
2. Abdul Gaffar Khan,  
Aged about 49 years,  
Son of Shri Gulam Mohd. Khan,  
Resident of 886 European Colony,  
EC Railway, Mughalsarai,  
District-Chadauli.
3. Ramashish Prasad,  
Aged about 50 years,  
Son of Late vishram Mistry,  
Resident of 938-AB, Shastri Colony,  
EC Railway, Mughalsarai.
4. Janardan Prasad Singh,  
Aged about 48 years,  
Son of Sri Thakur Prasad Singh,  
Resident of Quarter No.873-AB,  
Shastri Colony, EC Railway,  
Mughalsarai, District-Chandauli.

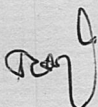
All the applicants are working as Senior Section  
Engineer of TRS EC Railway, Mughalsarai, Chandauli.

.....Applicants

(By Advocate : S. K. Mishra)

V E R S U S

1. Union of India, Ministry of Railways,  
Through the General Manager,  
East Central Railway, Hajipur,  
Bihar.





(18)

2. The Chief Personnel Officer,  
East Central Railway,  
Hazipur, Bihar.
3. The Senior Divisional Electrical Engineer (TRS)  
East Central Railway,  
Mughalsarai, District-Chandauli.

.....Respondents

(By Advocate: Shri A. K. Gaur)

**ORDER**

**By Hon'ble Mr. Justice S. R. Singh, Vice-Chairman**

Heard Shri S.K. Mishra counsel for the applicant,  
Shri A.K. Gaur Counsel for the respondents and perused the  
original application.

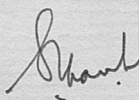
2. The applicants, railway employees of Group 'C'  
category, <sup>have</sup> ~~are~~ instituted this original application for  
issuance of a direction to the respondents to treat them <sup>as</sup>  
~~applicants~~ as having been appointed in the scale of  
Rs.700-900/- (4<sup>th</sup> CPC Scale) since the time of their initial  
appointments. The applicants have placed reliance on  
Supreme Court decision in civil appeal No.6609 of 1997  
Rasheed Khan Vs. Union of India and Ors. decided on  
11.12.2003 in support of their claim. The Supreme court  
in that case held that the benefit of the restructuring  
scheme would be admissible to those who were already in  
service on 01.01.1984 <sup>and</sup> ~~or~~ it would also be applicable  
to those who were in the panel approved on or before April  
30, 1984.

Regd



3. The case of the applicants is that they are similarly<sup>ly</sup> circumstanced as Rasheed Khan's <sup>case</sup> ~~case~~ who was the appellant before the Hon'ble Supreme Court. Shri A.K. Gaur learned counsel for the respondents submits that the decision has no application to the applicants.

4. Having heard counsel for the parties and having regard to the assertion that the applicants have already preferred a representation, a copy of which has been annexed as Annexure-4 to the O.A., we are of the considered view that it would meet ends of justice if this O.A. is disposed of with a direction to the competent authority to consider and dispose of the representation of the applicants in accordance with law by means of a reasoned order within a period of 3 months from the date of receipt of a copy of this order. The Original Application is disposed of accordingly. No order as to costs.

  
Member (A)

  
Vice-Chairman

Shukla/-