

**Central Administrative Tribunal  
Jaipur Bench, Jaipur**

**M.A. No.291/2020  
In  
O.A. No.633/2016**

Date of Decision 18.03.2021

**Hon'ble Mr. Dinesh Sharma, Member (A)  
Hon'ble Mrs. Hina P. Shah, Member (J)**

1. Chetan Prakash Kumawat son of Shri Khem Chand Kumawat, aged about 58 years, resident of Plot No.33, Dadu Nagar Colony, Behind Sitaram Babaji Ki Bagichi, Phulera, District Jaipur (Rajasthan) presently posted as Loco Pilot at Phulera.
2. Deepak Kumawat son of Shri Chetan Prakash Kumawat, aged about 24 years, resident of Plot No.33, Dadu Nagar Colony, Behind Sitaram Babaji Ki Bagichi, Phulera, District Jaipur (Rajasthan) presently posted as Loco Pilot at Phulera. ....Applicants.

(By Advocate: Shri C.B.Sharma)

vs.

1. Union of India, through General Manager, North Western Railway, Near Jawahar Circle, Jaipur-302017.
2. Divisional Railway Manager, North Western Railway, Jaipur-302006. ....Respondents.

(By Advocates: Shri Anupam Agarwal)

**ORDER (ORAL)**

**Per: Dinesh Sharma, Member (A):**

In this Miscellaneous Application (MA), the applicants have prayed for revival of Original Application (OA)

(2)

No.291/00633/2016. This OA was disposed of by this Tribunal's order dated 22.03.2018. This order enclosed as Annexure MA/2 which this MA states as follows:-

"7. Accordingly, all these OA are disposed of with the observation that after re-visitation of Liberalised Active Retirement Scheme for Guaranteed Employment for Safety Staff (LARSGESS) by the Railways in terms of the directions issued by the Hon'ble Supreme Court, if any party feels aggrieved, the matter can be re-agitated in accordance with law before the competent forum having jurisdiction over the matter."

2. The applicants argued that there have been decisions by Railway Authorities in various cases and there has been in delay in finalising the matter on the part of the respondents. The applicants cannot be deprived of their claims for which they are entitled as per the facts and circumstances of their cases.

3. A reply has been filed to this MA by the Railway Authorities in which they have raised an initial objection about there have been no procedure/rules for revival of this OA after its disposal. The applicants have failed to refer any provision of law under which this MA can be filed. With regard to this objection raised by the respondent Railways, this Tribunal has already decided the matter with the above-mentioned decision. A liberty was given in the decision itself to re-agitate the matter in accordance with

(3)

law before the competent forum. We are not aware of any rule or procedure in which the OA which has been finally disposed of, can be revived. The MA is, therefore, dismissed.

(Hina P. Shah)  
Member (J)

(Dinesh Sharma)  
Member (A)

/kdr/