

**Central Administrative Tribunal  
Jaipur Bench, Jaipur**

**O.A. No.296/2015**

Reserved on :31.03.2021  
Pronounced on:07.04.2021

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

1. Mukesh Kumar Sharma son of Late Shri P. S. Sharma, aged about 47 years, resident of Plot No. C-711, Panchsheel Nagar, Makarwali Road, Ajmer and presently working as Accounts Assistant, Office of Deputy Chief Accounts Officer (TA), Western Railway, Ajmer.
2. Mukesh Joshi Son of Shri Ram Chandra Joshi, aged about 50 years, resident of 14, Behind Roadways Work Shop, Near RTO Office, Jaipur Road, Ghooghra, Ajmer and presently working as Accounts Assistant, Office of Deputy Chief Accounts Officer (TA), Western Railway, Ajmer.
3. Mahesh Adwani Son of Late Jhammu Mal Adwani, aged about 52 years, resident of 24, Choudhary Colony, Vaishali Nagar, Ajmer and presently working as Accounts Assistant, Office of Deputy Chief Accounts Officer (TA), Western Railway, Ajmer.
4. Rajiv Verma Son of Late Shri Indra Kumar, aged about 58 years, resident of Railway Quarter No. 1637, GRP Line, Mall Road Ajmer and presently working as Senior Section Officer, Office of Deputy Chief Accounts Officer (TA), Western Railway, Ajmer.
5. Ashutosh Sharma S/o Shri Harswaroop Sharma, aged about 51 years, resident of 72, Braj Vihar Colony, Gulab Bari Ajmer and presently working as Accounts Assistant, Office of Deputy Chief Accounts Officer (TA), Western Railway, Ajmer.
6. Amar Singh S/o Shri Onkar Prasad aged about 49 years and presently working as Accounts Assistant.
7. Usha Gupta W/o Shri Krishna avtar, aged about 52 years and presently working as Accounts Assistant.
8. Stayendra Kumar Lodia S/o Shri Ram Lal Lodia, aged about 45 years and presently working as Accounts Assistant.

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9. Kundan Mal Gora S/o Shri Ganga Ram Gora, aged about 48 years and presently working as Accounts Assistant.
10. Kumud Maheshwari D/o Shri Harish Chandra Maheshwari, aged about 44 years and presently working as Accounts Assistant.
11. Madhumati Mathur W/o Vinay Swaroop Mathur aged about 56 years and presently working as Accounts Assistant.
12. Vinay Swaroop Mathur S/o Shri K. B. Mathur, aged about 56 years and presently working as Accounts Assistant.
13. Rajeshwari Sharma W/o Shri Ashok Kumar Sharma, aged about 53 years and presently working as Accounts Assistant.
14. Satveer Singh Yadav S/o Late Shri Nihal Singh Yadav, aged about 52 years and presently working as Accounts Assistant.
15. Murari Lal S/o Shri Jainarain, aged about 49 years and presently working as Accounts Assistant.
16. Anil Kumar Mittal S/o Late Shri Ram Narain Mittal, aged about 55 years and presently working as Accounts Assistant.
17. Tulsi Ram Meena S/o Late Shri Ghisa Lal Meena, aged about 52 years and presently working as Accounts Assistant.
18. Neera Gupta W/o Shri Mukesh Gupta, aged about 55 years and presently working as Accounts Assistant.
19. Bhupendra Nath Arora S/o Shri Ram Prakash, aged about 54 years and presently working as Accounts Assistant.
20. Sunita Agrawal D/o Shri Rajendra Prasad Agarwal, aged about 50 years and presently working as Accounts Assistant.
21. Yogesh Kumar Dhiman S/o Shri Shiv Balak, aged about 44 years and presently working as Accounts Assistant.
22. Anil Kumar Sharma S/o Late Shri S. D. Sharma, aged about 50 years and presently working as Accounts Assistant.
23. Ramesh Chand Maholia S/o Shri Sarman Lal Maholia, aged about 53 years and presently working as Accounts Assistant.

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24. Chunni Lal Mutreja S/o Shri P. D. Mutreja, aged about 48 years and presently working as Accounts Assistant.
25. Kistur Chand Sharma S/o Late Shri Ladu Ram Sharma, aged about 61 years and retired on 31/05/2013 as Accounts Assistant.
26. Sudha Sharma W/o Shri Anil Kumar Sharma, aged about 50years and presently working as Accounts Assistant.
27. Sanjay Kumar Malhotra S/o Shri B. S. Malhotra, aged about 50 years and presently working as Accounts Assistant.
28. Rajnish R. Massey S/o Shri Fazal D. Masih, aged about 53 years and presently working as Senior Section Officer (Accounts).
29. Karunesh Vashistha S/o Late Shri Mahaveer Prasad Vashistha, aged about 52 years and presently working as Accounts Assistant.
30. Ramesh Chand S/o Late Shri Banshi Lal, aged about 52 years and presently working as Accounts Assistant.
31. Jai Narayan Asrawat S/o Shri Chhotu Lal Asrawat, aged about 41 years and presently working as Accounts Assistant.
32. Tikam Chand Sharma S/o Shri Ram Pratap Sharma, aged about 52 years and presently working as Accounts Assistant.
33. Pradeep Kapoor S/o Shri G. L. Kapoor, aged about 57 years and presently working as Accounts Assistant.
34. Ajit Singh S/o Shri Satya Deo Singh, aged about 54 years and presently working as Accounts Assistant.
35. Akhtar Hussain S/o Shri Mohad Sabir, aged about 61 years and retired from the post of Sr. S.O..
36. Meera Dhawan D/o Shri N. R. Arora, aged about 50 years and presently working as Sr. S.O..
37. Soni Devi Bhadana D/o Shri Bhanwar Lal, aged about 45 years and presently working as Accounts Assistant.
38. Harikesh Meena S/o Shri Gulab Chand Meena, aged about 47 years and presently working as Accounts Assistant.
39. Reena Pandey D/o Shri Om Prakash, aged about 52 years and presently working as Accounts Assistant.

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40. Man Singh Meena S/o Shri Nathu Ram Meea, aged about 44 years and presently working as Accounts Assistant.
41. Vipin Kumar Sharma S/o Shri Raja Ram Sharma, aged about 43 years and presently working as Accounts Assistant.
42. Alok Dutt Gaur S/o Shri Vishnu Dutt, aged about 43 years and presently working as Accounts Assistant.
43. Pram Prakash Sharma S/o Shri Ghewar Chand, aged about 48 years and presently working as Accounts Assistant.
44. Ramesh Kumar Gaur S/o Shri Kanti Swaroop Gaur, aged about 48 years and presently working as Senior Section Officer (Accounts).
45. Govind Narain Mathur S/o Shri Devi Lal Mathur, aged about 53 years and presently working as Accounts Assistant.
46. Ashok Kumar Madhavi S/o Shri Bishan Lal, aged about 55 years and presently working as Accounts Assistant.
47. Ashwani Bhardwaj S/o Shri S. N. Bhardwaj, aged about 54 years and presently working as Senior Section Officer (Accounts).
48. Ramesh Kumar Sharma S/o Shri Satyadev Sharma, aged about 57 years and presently working as Accounts Assistant.
49. Ashok Kumar Meena S/o Shri Ramphal Meena, aged about 44 years and presently working as Accounts Assistant.
50. Rajender Jethra S/o Shri Ram Kishan Jethra, aged about 55 years and presently working as Accounts Assistant.
51. Surendra Jain S/o Shri Shanti Lal Jain, aged about 53 years and presently working as Assistant Financial Advisor.
52. Asha Shekhawat D/o Shri B. S. Shekhawat, aged about 50 years and presently working as Sr. Assistant Financial Advisor.
53. O. B. David S/o Shri Bernard David, aged about 53 years and presently working as Senior Section Officer (Accounts)..
54. Jyotsana Sharma D/o Shri Laxmi Narain Sharma, aged about 47 years and presently working as Accounts Assistant.

55. Manoj Kumar Jain S/o Shri Om Prakash Jain, aged about 50 years and presently working as Accounts Assistant.
56. Sanjive Narain Mathur S/o Shri P. N. Mathur, aged about 52 years and presently working as Senior Section Officer (Accounts).
57. Ranjana Tak D/o Shri H. C. Tak, aged about 53 years and presently working as Accounts Assistant.
58. Suresh Chand Heda S/o Shri Ram Swarup Heda, aged about 53 years and presently working as Accounts Assistant.
59. Tek Chand Goyal S/o Shri Shyam Lal Goyal, aged about 51 years and presently working as Senior Section Officer (Accounts).
60. Ganesh Singh Panwar S/o Shri Arjun Singh Panwar, aged about 53 years and presently working as Accounts Assistant.
61. Mahesh Khatwani S/o Shri Pritam Das Khatwani, aged about 56 years and presently working as Accounts Assistant.
62. Virender Ganatra S/o Shri Sarab Dayal Ganatra, aged about 58 years and presently working as Accounts Assistant.
63. Dalbir Ganatra W/o Shri Virender Ganatra, aged about 57 years and presently working as Accounts Assistant.
64. Vinay Kumar Malhotra S/o Shri Bhim Sen Malhotra, aged about 52 years and presently working as Accounts Assistant.
65. Gautam Jani S/o Shri Lal Shanker Jani, aged about 57 years and presently working as Accounts Assistant.
66. Ramkishan Verma S/o Shri Amilal, aged about 56 years and presently working as Sr. S.O..
67. Laxman Singh S/o Shri Shish Pal Singh, aged about 56 years and presently working as Accounts Assistant.
68. Mohan Lal Panwar S/o Shri Ram Pal, aged about 55 years and presently working as Accounts Assistant.
69. Vijay Kumar Sharma S/o Shri Bhoop Singh Sharma, aged about 45 years and presently working as Accounts Assistant.
70. Prem Prakash S/o Shri Chandra Dutta, aged about 53 years and presently working as Accounts Assistant.

71. Parash Ram Meena S/o Shri Shri Ram Meena, aged about 45 years and presently working as Accounts Assistant.
72. Vimlesh Gupta S/o Shri B. N. Garg, aged about 53 years and presently working as Accounts Assistant.
73. Madhu S. Tanwar D/o Shri Baljeet Singh, aged about 53 years and presently working as Accounts Assistant.
74. Prakash Chand Meena S/o Shri Gopal Singh Meena, aged about 47 years and presently working as Accounts Assistant.
75. Gopal Murari Sharma S/o Shri R. C. Sharma, aged about 54 years and presently working as Sr. S.O..
76. Pradeep Kumar Gupta S/o Shri Gyan Chand Gupta, aged about 51 years and presently working as Sr. S.O..
77. Bagwan Das S/o Shri Kura, aged about 56 years and presently working as Accounts Assistant.
78. Hanuman Sahai S/o Shri Nathu Lal, aged about 52 years and presently working as Accounts Assistant.
79. Meera Khilnani W/o Shri Hari Das Khilnani, aged about 59 years and presently working as Accounts Assistant.
80. Ashok Khilnani S/o Shri T. D. Khilnani, aged about 52 years and presently working as Accounts Assistant.
81. Seema Bhargava D/o Late Shri B. D. Bhargava, aged about 44 years and presently working as Accounts Assistant.
82. Ratan Lal Bairwa S/o Shri Kanhaiya Lal Bairwa, aged about 52 years and presently working as Accounts Assistant.
83. Vishwajeet Chatree S/o Shri Rajpal Singh Chatree, aged about 51 years and presently working as Senior Section Officer (Accounts).
84. Shubha Gupta W/o Shri Ashok K. Gupta, aged about 52 years and presently working as Accounts Assistant.
85. Sunita Amolick W/o Shri Pramod Amolick, aged about 52 years and presently working as Accounts Assistant.
86. Champa Bijlani W/o Shri Deepak Bijlani, aged about 53 years and presently working as Accounts Assistant.
87. Anil Kumar Mathur S/o Shri Ratan Lal Mathur, aged about 59 years and presently working as Accounts Assistant.

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88. Anand Kumar Kumawat S/o Shri Mangi Lal Kumawat, aged about 52 years and presently working as Accounts Assistant.
89. Satish Chand Shukla S/o Shri Sunder Lal Shukla, aged about 58 years and presently working as Accounts Assistant.
90. Pradeep Kumar Vashistha S/o Shri Lakhiram Vashistha, aged about 59 years and presently working as Accounts Assistant.
91. A. K. Jaiman S/o Shri R. K. Jaiman, aged about 54 years and presently working as Senior Section Officer (Accounts).
92. Pradyumna Mathur S/o Shri Amar Narayan Mathur, aged about 47 years and presently working as Accounts Assistant.
93. Rameshwar Lal S/o Shri Sheokaran Prajapat, aged about 59 years and presently working as Accounts Assistant.
94. Mukesh Kumar Agrawal S/o Shri Madan Gopal Agrawal, aged about 51 years and presently working as Accounts Assistant.
95. Ramesh Chand Ubana S/o Shri Gopi Lal Ubana, aged about 55 years and presently working as Sr. S.O..
96. Naveen Kumar Verma S/o Shri Babu Lal Verma, aged about 57 years and presently working as Accounts Assistant.
97. Mukesh Chaturvedi S/o Shri Suresh Chandra Chaturvedi, aged about 58 years and presently working as Sr. S.O..
98. Sunder Singh Rathore S/o Shri M. s. Rathore, aged about 56 years and presently working as Sr. S.O..
99. Santosh Gupta W/o Shri Rajendra Gupta, aged about 53 years and presently working as Accounts Assistant.
100. Giriraj Tripathy S/o Shri Chandra Narayan, aged about 58 years and presently working as Accounts Assistant.
101. Ram Lal S/o Shri Gulab Chand, aged about 59 years and presently working as Accounts Assistant.
102. R. P. Garg S/o Shri Ghurey Lal Garg, aged about 55 years and presently working as Sr. S.O..
103. Tej Bahadur Sharma S/o Shri Virumal Ratumal Sharma, aged about 52 years and presently working as Accounts Assistant.

104. Ashok Mathur S/o Shri Rajendra Kumar Mathur, aged about 52 years and presently working as Accounts Assistant.
105. Shashi Modi S/o Shri Mirmal Kumar Modi, aged about 48 years and presently working as Accounts Assistant.
106. Sushil Kumar Chandel S/o Shri Chhotu Lal Chandel, aged about 50 years and presently working as Accounts Assistant.
107. Ram Gopal Meena S/o Shri H. L. Meena, aged about 56 years and presently working as Accounts Assistant.
108. Pooran Chand S/o Shri Jagdish Prasad, aged about 50 years and presently working as Accounts Assistant.
109. Vinay Kumar Goyal S/o Shri Gyan Prakash Goyal, aged about 53 years and presently working as Senior Section Officer (Accounts).
110. Hari Singh Mahawar S/o Shri Dhanna Lal Mahawar, aged about 47 years and presently working as Accounts Assistant.
111. Heera Ram Gurjar S/o Shri Manna Ram Gurjar, aged about 60 years and presently working as Accounts Assistant.
112. Geetam Saxena W/o Shri Ajay Saxena, aged about 59 years and presently working as Accounts Assistant.
113. Vishnu Jhamaria S/o Shri A. B. L. Mathur, aged about 53 years and presently working as Senior Section Officer (Accounts).
114. Mohar Singh Meena S/o Shri Prabhu Lal Meena, aged about 54 years and presently working as Accounts Assistant.
115. Sushma Kapoor S/o Shri Virendra Kapoor, aged about 63 years and retired from the post of Accounts Assistant.
116. Ramesh Chandra Saini S/o Shri Rati Ram, aged about 59 years and presently working as Accounts Assistant.
117. Daulat Rai Bhatanagar S/o Shri Ganapat Rai Bhatanagar, aged about 49 years and presently working as Accounts Assistant.
118. Ramji Lal Meena S/o Shri Nahnoo Ram, aged about 51 years and presently working as Accounts Assistant.
119. Shiv Raj Singh Gaur S/o Shri Puran Singh Gaur, aged about 46 years and presently working as Accounts Assistant.

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120. Deen Dayal Sagar S/o Shri Babu Lal Sagar, aged about 59 years and presently working as Accounts Assistant.
121. Suresh Chandra Sharma S/o Shri Ram Kishan Sharma, aged about 58 years and presently working as Accounts Assistant.
122. Krishan Gopal Sharma S/o Shri Bhanwar Lal Ji, aged about 52 years and presently working as Accounts Assistant.
123. Ashutosh Gaur S/o Shri Om Shankar Gaur, aged about 48 years and presently working as Accounts Assistant.
124. Mahendra Kumar Shakya S/o Shri Thakur Singh, aged about 58 years and presently working as Accounts Assistant.
125. Pyare Lal Siwasiya S/o Shri Sohan Lal, aged about 53 years and presently working as Accounts Assistant.
126. Ravindra P. Dave S/o Shri P. J. Dave, aged about 43 years and presently working as Accounts Assistant.
127. Nisha Sharma W/o Shri Dharmendra Sharma, aged about 47 years and presently working as Accounts Assistant.
128. Ashok Kumar Sharma S/o Shri Shri Ram Sharma, aged about 49 years and presently working as Accounts Assistant.
129. Bela Chaturvedi W/o Shri Umesh Chaturvedi, aged about 48 years and presently working as Accounts Assistant.
130. Kumari Shalu Sharma D/o Shri Gopal Dutt Sharma, aged about 42 years and presently working as Accounts Assistant.
131. Vandana Gupta W/o Shri Pushpendra Kumar Gupta, aged about 51 years and presently working as Sr. S.O..
132. Rajeshwari Chimnani W/o Shri J. P. Chimnani, aged about 53 years and presently working as Sr. S.O..
133. Salimuddin Khan S/o Shri Abdul Karim Khan, aged about 51 years and presently working as Sr. S.O..
134. Kuldeep Dave S/o Shri P. N. Dave, aged about 55 years and presently working as Sr. S.O..
135. Vijay Kumar Bhatnagar S/o Shri P. S. Bhatnagar, aged about 58 years and presently working as Accounts Assistant.
136. Vijay Swaroop Jaiman S/o Shri Ramswaroop Jaiman, aged about 49 years and presently working as Sr. S.O..

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137. Trilok Chaturvedi S/o Shri Bhedi Ram Chaturvedi, aged about 44 years and presently working as Accounts Assistant.
138. Sushila Mathuria D/o Shri Kanhaiya Lal, aged about 54 years and presently working as Accounts Assistant.
139. Anjana Wadwani W/o Shri Narain S. Wadwani, aged about 52 years and presently working as Accounts Assistant.
140. Asha Sahi D/o Shri D. C. Sahi, aged about 55 years and presently working as Accounts Assistant.
141. Vishal Sahajpal S/o Shri Brahma Nan Sharma, aged about 45 years and presently working as Accounts Assistant.
142. Smt. Sushma Verma D/o Shri Gyan Chand Saran, aged about 47 years and presently working as Accounts Assistant.
143. Anita Kalra W/o Shri Ram Murti Sharma, aged about 51 years and presently working as Sr. S.O..
144. Usha Sant D/o Shri Narayan Das Shavnani, aged about 48 years and presently working as Accounts Assistant.
145. Manoj Nankani S/o Shri Prem Nankani, aged about 49 years and presently working as Accounts Assistant.
146. Shail Jain D/o Shri Tara Chand Jain, aged about 57 years and presently working as Accounts Assistant.
147. Shobha Rajani D/o Shri Sugnomal Aghicha, aged about 57 years and presently working as Accounts Assistant.
148. Hari Ram Meena S/o Shri Narayna Singh, aged about 49 years and presently working as Accounts Assistant.
149. ChirANJI Lal Meena S/o Shri Mansha Ram, aged about 50 years and presently working as Accounts Assistant.
150. Radhey Shyam Beejawat S/o Shri Deo Kishan Beejawat, aged about 53 years and presently working as Accounts Assistant.
151. Sant Ram Shad S/o Shri Mage Lal Shad, aged about 46 years and presently working as Accounts Assistant.
152. Sushil Kumar Jain S/o Shri Pyarelal Jain, aged about 47 years and presently working as Accounts Assistant.
153. Nisha A. Sharma W/o Late Shri Ashok Sharma, aged about 51 years and presently working as Sr. S.O..
154. Kavita Balani d/o Shri Vishnu C. Balani, aged about 48 years and presently working as Accounts Assistant.

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155. Basant Kumar Jha S/o Shri Ramesh Dutt Jha, aged about 51 years and presently working as Sr. S.O..
156. Ashok Sharma S/o Shri Udaya Bhan Sharma, aged about 58 years and presently working as Accounts Assistant.
157. Bhagwan Singh Meena S/o Shri Kana Ram, aged about 49 years and presently working as Accounts Assistant.
158. Basant Kumar S/o Shri Ram Dev Kachhaawa, aged about 47 years and presently working as Accounts Assistant.
159. Rajendra Kumar Dubey S/o Shri K. K. Dube, aged about 48 years and presently working as Accounts Assistant.
160. Mahesh Chand Meena S/o Shri Pati Ram Meena, aged about 47 years and presently working as Accounts Assistant.
161. Anil Kumar Mathur S/o Shri Devi Lal Mathur, aged about 58 years and presently working as Accounts Assistant.
162. Purshottam Dass S/o Shri Narayan Dass, aged about 53 years and presently working as Sr. S.O..
163. Amir Hasan S/o Shri Hakam Ali Khan, aged about 51 years and presently working as Accounts Assistant.
164. Deepak Arora S/o Shri Manohar Lal, aged about 45 years and presently working as Accounts Assistant.
165. Brajesh Kumar Sharma S/o Shri Surendra Kumar Sharma, aged about 50 years and presently working as Accounts Assistant.
166. Rajendra Prasad Gupta S/o Shri Chhote Lal, aged about 60 years and retired from the post of Sr. S.O..
167. Suresh Chand Gupta S/o Late Shri Girraj Prasad Gupta, aged about 56 years and presently working as Sr. S.O..
168. Sudhir Balotia S/o Shri Raghunath Balotia, aged about 42 years and presently working as Accounts Assistant.
169. Om Prakash Verma S/o Shri Nathu Lal Verma, aged about 46 years and presently working as Accounts Assistant.
170. Gajanand Jatia S/o Shri Ram Chandra, aged about 41 years and presently working as Accounts Assistant.
171. Satish Chandra Vijaivargiya S/o Shri Asharam Patwari, aged about 51 years and presently working as Sr. S.O..

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172. Satya Narayan Gupta S/o Shri Jagdish Prasad Gupta, aged about 57 years and presently working as Sr. S.O..
173. Pramod Kumar Chaurasia S/o Shri J. P. chaurasia, aged about 54 years and presently working as Sr. S.O..
174. Jalaram S/o Shri Rampal, aged about 50 years and presently working as Accounts Assistant.
175. Govind Ram Harijan S/o Shri Goverdhan Lal, aged about 47 years and presently working as Accounts Assistant.
176. Hari Om Sharma S/o Shri Mahavir Prasad Sharma, aged about 45 years and presently working as Accounts Assistant.
177. Devendra Kumar Jain S/o Shri Inder Chand Jain, aged about 52 years and presently working as Accounts Assistant.
178. Shashi Jain D/o Shri P. L. Jain, aged about 49 years and presently working as Accounts Assistant.
179. Kavita Bhardwaj D/o Shri J. C. Kaushik, aged about 43 years and presently working as Accounts Assistant.
180. Rajendra Prasad Meena S/o Shri Kishori Lal Meena, aged about 50 years and presently working as Accounts Assistant.
181. Yogesh Gautam S/o Shri Sita Ram Sharma, aged about 48 years and presently working as Accounts Assistant.
182. Hemendra Kumar Mishra S/o Shri Daya Shanker Mishra, aged about 45 years and presently working as AFA.
183. Pradeep Sharma S/o Shri S. L. Sharma, aged about 45 years and presently working as AFA.
184. J. P. Meena S/o Late Shri R. N. Meena, aged about 47 years and presently working as AFA.
185. Ashok Kumar Yadav S/o Late Shri C. M. Yadav, aged about 53 years and presently working as Accounts Assistant.
186. Man Mohan Kulwal S/o Shri Kalyan Prasad Kulwal, aged about 54 years and presently working as Accounts Assistant.
187. Gopal Prasad Tiwari S/o Shri Govind Prasad Tiwari, aged about 50 years and presently working as Sr. S.O..
188. N. D. Sharma S/o Shri R. D. Sharma, aged about 52 years and presently working as Sr. S.O..

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189. Arjun Ram Sharma S/o Shri Jeewan Ram Sharma, aged about 56 years and presently working as Accounts Assistant.
190. Roop Narayan Asopa S/o Shri Ghansyam Das, aged about 58 years and presently working as Sr. S.O..
191. Devi Lal Gurjar S/o Shri Ram Lal, aged about 59 years and presently working as Sr. S.O..
192. Vijay Kumar Sharma S/o Shri Shri Gopal, aged about 51 years and presently working as Accounts Assistant.
193. Mohd. Yunus Khilji S/o Shri Abdul Jabbar Khilji, aged about 56 years and presently working as Accounts Assistant.
194. Girish Bhiryani S/o Shri Sahib Bhiryani, aged about 59 years and retired from the post of Accounts Assistant.
195. Rajni Gupta W/o Shri Santosh Gupta, aged about 46 years and presently working as Accounts Assistant.
196. Jasbir Puri W/o Shri Ravi Bhushan Puri, aged about 54 years and presently working as Accounts Assistant.
197. Mukund Behari Katara S/o Shri R. P. Katara, aged about 54 years and presently working as Sr. S.O..
198. Mahesh Kumar Jain S/o Shri Trilok Chand Jain, aged about 56 years and presently working as Accounts Assistant.
199. Manoj Mathur S/o Shri Hari Prasad Mathur, aged about 47 years and presently working as Accounts Assistant.
200. Ramesh Hemnani S/o Late Shri Tola Ram Hemnani, aged about 58 years and presently working as Accounts Assistant.
201. Kanhaiya Lal Tunwal S/o Shri Poonam Chand Tunwal, aged about 58 years and presently working as Accounts Assistant.
202. Ashok Kapoor S/o Shri P. N. Kapoor, aged about 62 years and retired from the post of Accounts Assistant.
203. Sampat Ram Meena S/o Late Shri Surgyani Ram Meena, aged about 52 years and presently working as Sr. T.I.A..
204. Om Prakash Gaur S/o Shri Shanti Lal Gaur, aged about 54 years and presently working as Sr. T.I.A..
205. Amrit Lal S/o Late Shri Mania Ji, aged about 59 years and presently working as Sr. T.I.A..

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206. Kamal Kumar Rajoria S/o Shri Prem Chand Rajoria, aged about 48 years and presently working as Sr. T.I.A..
207. Naresh Kumar Tak S/o Late Shri Bhanwar Lal Tak, aged about 56 years and presently working as Sr. T.I.A..
208. Satish Kumar Goyal S/o Late Shri N. K. Goyal, aged about 50 years and presently working as Sr. T.I.A..
209. S. M. Jogi S/o Shri N. M. Jogi, aged about 50 years and presently working as Sr. T.I.A..
210. Anil Kumar Upadhyay S/o Late Shri Shaligram Upadhyay, aged about 53 years and presently working as Sr. T.I.A..
211. Ashok Kumar Vishwa S/o Late Shri Govind Prasad Vishwa, aged about 51 years and presently working as Sr. T.I.A..
212. Sulekha Sharma W/o Shri Rakesh Kumar Sharma, aged about 54 years and presently working as Sr. T.I.A..
213. Ratnesh Kumar S/o Shri Buddha Ram Tihari, aged about 48 years and presently working as Sr. T.I.A..
214. Sanjeev Gupta S/o Shri Laxmi Narayan Gupta, aged about 56 years and presently working as Sr. T.I.A..
215. Subhash Chandra S/o Late Shri Rati Ram, aged about 59 years and presently working as Sr. T.I.A..
216. M. M. Sheikh S/o Shri Mohamed Rafik, aged about 55 years and presently working as Sr. T.I.A..
217. Ashok Mishra S/o Shri Ram Swaroop Mishra, aged about 48 years and presently working as Sr. T.I.A..
218. Balwant Ram Sharma S/o Shri Byas Muni Sharma, aged about 52 years and presently working as Sr. T.I.A..
219. Roop Narayan Meena S/o Shri Chhotu Ram Meena, aged about 52 years and presently working as Sr. T.I.A..
220. Nirnimesh Kumar S/o Shri R. N. Sharma, aged about 53 years and presently working as Sr. T.I.A..
221. Neeraj Pareek S/o Shri Ram Karan Pareek, aged about 50 years and presently working as Sr. T.I.A..
222. Ram Sahai Meena S/o Shri Roop Mal Meena, aged about 54 years and presently working as Sr. T.I.A..
223. Sunder Lal S/o Shri Kishan Lal Kumawat, aged about 53 years and presently working as Sr. T.I.A..

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224. Ashok Jain S/o Shri Sumer Chand Jain, aged about 54 years and presently working as Sr. T.I.A..
225. Jogendra Singh S/o Shri Kartar Singh, aged about 56 years and presently working as Sr. T.I.A..
226. Rajendra Gotan S/o Shri L. G. Gotan, aged about 52 years and presently working as Sr. T.I.A..
227. Vishnu Dutt Sharma S/o Shri Shiv Dayal Sharma, aged about 48 years and presently working as Sr. T.I.A..
228. Rakesh Kumar Jain S/o Shri Tara Chand Jain, aged about 52 years and presently working as Sr. T.I.A..
229. Ramesh Chand Saxena S/o Shri Madho Narain Saxena, aged about 56 years and presently working as Sr. T.I.A..
230. Arjun Singh Panwar S/o Shri Sankal Singh Panwar, aged about 54 years and presently working as Sr. T.I.A..
231. Ramotar Singh Meena S/o Shri Moti Ram Meena, aged about 49 years and presently working as Sr. T.I.A..
232. Narayan Singh S/o Shri Ratan Lal, aged about 52 years and presently working as Sr. T.I.A..
233. C. L. Meena S/o Shri Jagan Lal Meena, aged about 53 years and presently working as Sr. T.I.A..
234. Vijay Kumar S/o Shri Nelkant Singh, aged about 47 years and presently working as Sr. T.I.A..
235. S. B. Bagoria S/o Shri Hari Chand Bagoria, aged about 51 years and presently working as Sr. T.I.A..
236. Sudhir Kishore Bhatnagar S/o Shri Raj Kishore Bhatnagar, aged about 56 years and presently working as Sr. T.I.A..
237. Vinayak Sawant S/o Shri Y. V. Sawant, aged about 43 years and presently working as Sr. T.I.A..
238. D. T. Karia S/o Shri T. L. Karia, aged about 55 years and presently working as Sr. T.I.A..
239. Vimal D. Sharma S/o Shri Diwakar Sharma, aged about 51 years and presently working as Sr. T.I.A..
240. O. P. Parekh S/o Shri Ram Gopal, aged about 53 years and presently working as Sr. Assistant Finance Advisor.
241. Ashok Kumar Beniwal S/o Shri Suraj Narayan Beniwal, aged about 51 years and presently working as Sr. T.I.A..

All above applicants are working in Office of Deputy Chief Accounts Officer (TA), Western Railway, Ajmer.

**Postal Address:** - C/o Mukesh Kumar Sharma, Plot No. C-711, Panchsheel Nagar, Makarwali Road, Ajmer

...Applicants

(By Advocate: Shri C.B.Sharma)

### **VERSUS**

1. Union of India, through General Manager, Western Zone, Western Railway, Church Gate, Mumbai.
2. Railway Board, through its Chairman, Rail Bhawan, Ministry of Railways, New Delhi.
3. Finance Commissioner, Railway Board, Rail Bhawan, New Delhi.
4. Financial Advisor & Chief Accounts Officer, Western Zone, Western Railway, Church Gate, Mumbai.
5. Deputy Financial Advisor & Chief Accounts Officer, Western Railway (Traffic Accounts), Ajmer.

...Respondents

(By Advocate: Shri M.K.Meena)

### **ORDER**

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

The issue involved in this OA has been a subject matter of adjudication by various Benches of this Tribunal. Very briefly put, the applicants, who belong to the Railway Accounts staff, have prayed for allowing them actual monetary benefit (and not just notional benefit, as has been granted by Railway Boards order dated 07.03.2003), following the 5<sup>th</sup> CPC pay revision, w.e.f. 01.01.1996 to 18.02.2003. The grounds are that other category staff has been given this actual benefit and this has been also given

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to some employees following decision of the Ernakulam Bench of this Tribunal in **Jose Sebastian & Ors vs. Union of India and Others**(OA No.671/2003)and the decision of the Patna Bench of this Tribunal in **Sudama Singh and Othersvs. Union of India & Others** (OA No.925/2003). These decisions were confirmed by the Hon'ble High Courts and also by the Hon'ble Supreme Court, though the Hon'ble Supreme Court, while disposing of the SLP in Sudama Singh case, mentioned that the judgments will be applicable only to parties to that case and the claims of others could be decided on their individual merits. Following this, the present OA has been filed.

2. The respondents denied the claims of the applicants. They informed us about OAs(OA 523/2015, OA 534/2015, OA 3997/2014, OA 619/2014, 4419/2014, OA 4004/2014 OA 3999/2014 and 3998/2014) with similar prayers filed before the Principal Bench of this Tribunal, which were decided by a common order dated 15.09.2015. By this order, the Principal Bench has decided against grant of the relief claimed by the applicants. This decision was annexed by the respondents along with their reply in support of their claim of not granting actual monetary benefits to persons on ground that this benefit was not part of the pay commission recommendations and the Government had right to fix a

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date to give effect to its decisions taking into account financial considerations. The Sudama Singh decision of the Hon'ble Supreme Court is also quoted to support their argument against automatic extension of application of judgments to those who were not parties before the Court/Tribunal.

3. The matter was heard on 31.03.2021. Learned counsel for the applicants informed and produced before us a copy of the judgment of the Hon'ble High Court in W.P (C) No. 1523/2016, dated 18.12.2019, which has overturned the decision of the Principal Bench mentioned above. He also produced a copy of the order dated 08.01.2021 of the Hon'ble Supreme Court, rejecting the SLP of the Union of India against the judgment of the Hon'ble High Court. The learned counsel argued that these judgments are exactly on the same issue and thus the OA must be allowed following these verdicts. Learned counsel for the respondents repeated the arguments mentioned in his reply.

4. After going through the pleadings and the judgments now produced before us, we are fully satisfied that the judgments are exactly on the same issue, which has been

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raised in this OA. We are reproducing here the relevant portions of the Hon'ble High Court judgment:

"20. Thus, the proposal of the Ministry of Railways itself was for grant of the relief retrospectively from 1st January, 1996. The proposal was then sent to the Department of Personnel and Training („DoPT“). It appears that at the stage of consideration of the Ministry of Finance, Department of Expenditure, it was decided to limit the actual effective implementation of the revised pay scale by granting it from 19th February, 2003. The Court has perused the minutes of the meeting of the Cabinet which took the above decision on 19th February, 2003. There is no indication why the effective date of implementation was postponed except on the ground of financial burden to the Railways.

21. Between Accounts cadre employees, to deny some of them the benefit of the revised pay scale from 1st January, 1996, and to grant the others the same relief would result in discrimination between equally placed employees. This is not contemplated or permissible in law. It cannot possibly be a policy of the Railways that its employees in the Accounts cadre in different zones get the benefit of the revised pay scales from different dates.

22. For all of the aforementioned reasons, the Court finds the impugned orders of the CAT dated 15th September, 2015 and 11th December, 2015 to be unsustainable in law. They are accordingly set aside.

23. The prayers in the present petition are allowed and a direction is issued to the Respondents to grant them the revised pay scale in question from 1st January, 1996 when the recommendations of the 5th CPC became operational. The order dated 7th March, 2003 of the Railway Board, to the extent that it limits the actual benefit of the revised pay scale by granting the same from 2nd February, 2003, and not from 1st January, 1996, is hereby set aside.

24. The arrears now be granted to each of the Petitioners within 12 weeks failing which the

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Respondents will be liable to pay simple interest at 6% per annum thereon till the date of payment. The petition is disposed of in the above terms."

5. Since the facts and the legal issues involved in these cases are identical, we have no option but to follow the verdict pronounced by the Hon'ble High Court in this matter. The OA is therefore disposed of with an identical direction to the respondents to grant the applicants revised pay scale in question from 1<sup>st</sup> January 1996, when the recommendations of the 5<sup>th</sup> CPC became operational. The order dated 7<sup>th</sup> March, 2003 of the Railway Board, to the extent that it limits the actual benefit of the revised pay scale by granting the same from 2<sup>nd</sup> February, 2003, and not from 1<sup>st</sup> January 1996, is hereby set aside. The arrears shall now be granted to each of the Petitioners within 12 weeks of the date of receipt of this order, failing which the Respondents will be liable to pay simple interest at 6% per annum thereon till the date of payment. No costs.

(Hina P. Shah)  
Member (J)

(Dinesh Sharma)  
Member (A)

/kdr/