

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
(THROUGH VIDEO CONFERENCING)**

Original Application No. 332/000229/2020

Date of Order: This, the 19th Day of January, 2021

HON'BLE MR. A MUKHOPADHAYA, MEMBER (A)



1. Manmohan Mishra, aged about 35 years, S/o Shri Ramu Lal Mishra, R/o Gali No.1, Adarsh Nagar Colony, Near Mal Godown (Roza), Distt- Sahjahanpur.
2. Ramesh Kumar Tiwari, aged about 55 years, S/o Shri Shambhoo Nath Tiwari R/o Village-Pure Shiv Gulam Tiwari, PO Jamurwa Distt- Amethi.
3. Shri Niwas Rai, aged about 54 years, S/o Dhri Bhuvneshwar Rai, r/o- Village & Post- Diyan Man, District- Buxar.
4. Balwant Singh, aged about 56 years, S/o Shri Ghutto Singh, R/o-Village – Dharampur oliya, PO-Peeru Madara, Distt- Nainital, UK.
5. Sri Narayan Thakur, aged about 57 years, S/o Shri Garib Thakur, r/o Village & Post – Bhojpur Daul, Madhubani, Bihar.

6. Chandrika Prasad, aged about 42 years, S/o Shri Jangali Prasad, R/o –Village Patehra, Post- Monehra, Hardoi.
7. Lachha Kumar, aged about 34 years, S/o Shri Chinta, R/o- Village- Adarsh Nagar, Banda Colony, Roza, Distt- Shahjahanpur.
8. Sarvesh Singh, aged about 56 years, S/o Shri Ram Nath, R/o-Village- Bishalpur Bangar, Post- Ukhra, Distt- Farukhabad.
9. Achhe Lal, aged about 57 years, S/o Shri Faujdar Ram, R/o- Bhagwat Nagar, Neelmatha, Lucknow.
10. Laxami Shanker, aged about 55 years, Shri Ram Bahadur Shukla, R/o- Village- Majnai Pure Pokha, PO- Kuchehra, Distt- Ayodhya.
11. Murari Lal, aged about 38 years, S/o Shri Nokhe Lal, R/o-Village Rohoyee, PO- Mwayae, Distt- Hardoi.



... Applicants

By Advocate: Shri Praveen Kumar

- Versus -

1. Union of India, through the General Manager, Northern Railway Baroda House, New Delhi.

2. The Divisional Railway Manager, Northern Railway, Moradabad.
3. The Senior Divisional Personnel Officer, Northern Railway, Moradabad.
4. The Senior Divisional Engineer (C), Northern Railway, Moradabad.
5. The Assistant Divisional Engineer-I, Northern Railway, Hardoi.

.....Respondents.

By Advocate: Ms. Prayagmati Gupta



ORDER (ORAL)

This is a Division Bench matter. Division Bench is not convened today.

2. Joint application under Rule 4 (5) (a) of CAT (Procedure) Rules 1987 for pursuing the case jointly is allowed as the applicants are similarly situated with a common cause of action .

3. Issue notice. Ms. Prayagmati Gupta, learned counsel for the respondents, accepts notice on behalf of all the respondents.

4. Heard both learned counsel for the applicant as well as for the respondents.

5. At the outset, learned counsel for the applicant submitted that this O.A. is occasioned by the fact that the applicants, who were working as Track Maintainers, a re-designated post as per restructuring carried out by the respondent Railways, are not being promoted in accordance with the instructions of their own higher authorities such as the Railway Board. Learned counsel for the applicant, Shri Kumar, submitted that a representation was submitted in this regard by the applicants to the respondents on 29.8.2020, (Annexure-A-17), and that he would be satisfied, if the respondents are directed to dispose of this representation within a reasonable time frame after affording the applicants an opportunity of a personal hearing.



6. At this, Ms. Prayagmati Gupta, learned counsel for the respondents, submitted that in the event of the representation of the applicants being decided in the manner requested, the respondents would require at least two months time in order to consider and dispose of the representation.

7. Looking to the limited nature of plea made by the learned counsel for the applicant and without entering into the merits of the case, I deem it appropriate to dispose of this OA at the stage of admission itself by directing the respondents to consider and dispose of the

representation made by the applicants dated 29.8.2020, (Annexure A-17), by way of a reasoned and speaking order in accordance with law, after affording the applicants an opportunity of a personal hearing, within a period of two months after receipt of a certified copy of this order.

8. Original Application is disposed of accordingly at the admission stage itself. There shall be no order as to costs.

(A.MUKHOPADHAYA)
MEMBER (A)



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