

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

OA No. 325/2018

This, the 31st day of August, 2021

HON'BLE MS. JASMINE AHMED, MEMBER (J)
HON'BLE MR. A MUKHOPADHAYA, MEMBER (A)

Durgawati Devi, aged about 55 years, D/o Late Shri Jogi, Ram, Resident of -1/134, Sector L, LDA Colony, Kanpur Road, Lucknow

...Applicant

By Advocate: Shri Sudhanshu Srivastava holding brief of 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, Hazratganj, Lucknow.
3. The Senior Divisional Personnel Officer, Northern Railway, Hazratganj, Lucknow.
4. The Chief Medical Superintendent, Northern Railway Hospital, Charbagh, Lucknow.
5. The Assistant Personnel Officer (Salary), Northern Railway, Hazratganj, Lucknow.

...Respondents

By Advocate : Shri Ashutosh Pathak

ORDER(ORAL)

BY HON'BLE MS. JASMINE AHMED, MEMBER (J)

Learned counsel for the applicant Shri Praveen Kumar states that the similar issue, which was in O.A. No. 373/2018, (Munni Kumari Vs. Union of India & Others), has been decided vide judgment and order dated 26.03.2021 by a Bench comprising of Hon'ble Mr. R. N. Singh, Member-(J), Hon'ble Ms. Aradhana Johri, Member-(A). Learned counsel for both the parties state that the issue involved in the instant OA is similar in nature, hence the aforesaid matter can be disposed of in the light of the direction given by this Tribunal in O.A. No. 373/2018.

2. Accordingly, both the learned counsel agreed, the instant OA can be disposed of in the light of Para 8 of the judgment and order passed in O.A. No. 373/2018, which is reproduced as under:

***“ 8. In view of the aforesaid, with the consent of learned counsels for the parties, the present OA is partly allowed, the impugned orders are quashed with direction to the respondents to reconsider the claim of the applicant in the aforesaid OA in view of the aforesaid RBE no. 09/2020 and to pass an appropriate reasoned and speaking order. It is further directed that if on such reconsideration, the applicant is found entitled to be paid any arrears etc., the respondents shall release the same to the applicant. The aforesaid exercise shall be completed by the respondents as expeditiously as possible and in any case within twelve weeks of receipt of a copy of this order. The OA and MA stand disposed of in the aforesaid terms. No costs.*”**

3. Since the issue involved in the OA is similar to that of OA No. 373/2018, mentioned above, the instant OA is partly allowed by quashing the impugned orders with direction to the respondents to reconsider the claim of the applicant in the aforesaid OA in view of the RBE no. 09/2020 and to pass an appropriate reasoned and speaking order. While on examination, if it is found that the applicant is entitled for payment of arrears etc. then it shall be paid to the applicant. The aforesaid drill shall be completed by the respondents as expeditiously as possible not later than three months from the date of receipt of a certified copy of this order.

4. OA stands disposed of in the aforesaid terms. Pending MAs, if any, also stand disposed of. There will be no order on costs.

(A. MUKHOPADHAYA)
MEMBER (A)

(MS. JASMINE AHMED)
MEMBER (J)

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