

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 197/90  
Transfer Application No.

Date of decision 25.2.97

Smt. Yashodha Devi

Applicant(s)

Sri B.R. Gupta

Counsel for the  
applicant(s)

V E R S U S

Chairman, Railway Board, H.D. & Co.

Respondent(s)

Sri A. Sthakur

Counsel for the  
respondent(s)

C O R A M :-

Hon'ble Mr. T. L. Verma JM  
Hon'ble Mr. D.S. Banerjee AM

1. Whether Reporters of local papers may be allowed to see the judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordship wish to see the fair copy of the judgement ?
4. Whether to be circulated to all Benches ?

(Pandey)

S. B. Pandey  
(SIGNATURE)

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

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Allahabad this the 25<sup>th</sup> day of February 1997.

Original application No. 197 of 1990.

Hon'ble Mr. T.L. Verma, JM  
Hon'ble Mr. D.S. Baweja, AM

Smt. Yashoda Devi, Sri Ved Prakash Sharma,  
Lecturer in D.L.W., Inter College, Varanasi,  
205-D, D.L.W., Varanasi.

..... Applicant.

C/A Sri B.R. Tripathi

Versus

1. Chairman, Railway Board, M/o Railways,  
Rail Bhavan, New Delhi.
2. Union of India through General Manager,  
Diesel Locomotive Works, Varanasi.

..... Respondents.

C/R Sri A. Sthalkar

O R D E R

Hon'ble Mr. D.S. Baweja, AM

This application has been filed with a prayer to direct respondents to grant Group B status to the applicant from 1.1.86 which is attached to Senior Grade Lecturer.

2. The applicant has filed this application on 22.2.90 while working as Lecturer in Inter College, Diesel Locomotive Works (DLW), Indian Railways, Varanasi. The applicant's case is that in terms of Railway Board's letter dated 11.1.88, she is entitled for Group B (Class II) status after being given senior grade of Rs. 2000-3500 from 1.1.86. On being denied this claim, this application has been filed.

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3. The respondents have contested the application through counter reply. The respondents have countered that as per Railway Board's letter dated 28.7.88, corrigendum to letter dated 11.1.88 has been carried out by substituting para 6 providing that post graduate teachers in the scale Rs. 1640-2900 when appointed in the senior grade of Rs- 2000-3500 will not become eligible for Group B (Class II) status. In view of these extant instructions, the claim made is not admissible.

4. The applicant has filed rejoinder reply taking a stand that the letter dated 11.1.88 is to be applied in her case.

5. We have heard the matter on 9.12.96. None was present on behalf of the applicant. On the several earlier dates also the counsel of the applicant had not been appearing. Since it was an old case, we considered it appropriate not to adjourn the case further and to proceed further to decide the matter based on the pleadings of the applicant on record. We heard the learned counsel for the respondents.

6. After reserving the judgement on 9.12.96 respondents have filed a Misc. application submitting that as per information with the office, the applicant has since died on 26.2.92. A letter dated 1.7.92 from the husband of the applicant addressed to the office informing about the death of his wife (applicant) and requesting for payment of settlement dues to him has been brought on record. No substitution application had been moved till the hearing of the case. In view of this position, the present application abates. The application is accordingly

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dismissed as abated. No order as to costs.

*Shiv*  
Member (A)

*Thomson*  
Member - J

~~Member - J~~

Arvind.