

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

Allahabad this the 19th day of December 1994.

Hon'ble Mr. Justice B.C. Saxena, Vice-Chairman
Hon'ble Mr. K. Muthukumar, Administrative Member

Original Application no. 83 of 1992.

1. Dilip Kumar, S/o Sri Om Prakash, Guard, Railway Quarter no. 511B, Lalitnagar, Allahabad.
2. Pradeep Kumar Yadav, S/o Sri K.L. Yadav, R/o 367/322, Mohatshimganj, Allahabad.

.... Applicants.

Counsel for the Applicant Sri Sunil Rai

Versus

1. The Union of India through the General Manager, N. Rly. Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway, Allahabad.
3. The Senior Divisional Commercial Superintendent N. Rly Allahabad.
4. The Senior Divisional Personnel Officer, N. Rly Allahabad.
5. The senior Divisional Accounts Officer, N. Rly, Allahabad.

... Respondents

Counsel for the Respondents Sri A.V. Srivastava/P. Mathur
Sri B.B. Paul.

Alongwith

1 Original Application no. 406 of 1994

1. Subhash Chandra, S/o Sri Raja Ram, R/o 407, Rajapur, Distt. Allahabad.
2. Ashok Kumar, S/o R. Prasad, R/o 317, K D.S.A. Ground Allahabad.

Versus

1. The Union of India through the General Manager N. Rly, Baroda House, New Delhi.
2. The Divisional Railway Manager, N. Rly Allahabad.

182

CA. 119/93

// 2 //

or Divisional Commercial, Superintendent
Allahabad.

... Respondents

Application no. 110 of 1993

am Hussain, S/o Syed Ali Hasan, A/a 29 yrs.
alla Chiktoli, P.S. Hussaindbad, P.O.
District Palayam.

Sharan Kharwar, S/o Sri S. Sunder, A/a 23 Yrs
-A Shastri Colony, Distt Mugalsarai.

... Applicants

Versus

f India, through General Manager, N. Rly
Board, Baroda House, New Delhi.

Commercial Superintendent, N. Rly Baroda
New Delhi.

nal Railway Manager, Northern Railway
Yusuf Road, Allahabad.

4. Sent to Divisional Commercial Superintendent,
N. Rly Nawab Yusuf Road Allahabad.

.... Respondents

1 Application no. 39 of 93

Singh, S/o R. Singh, a/a 30 Yrs, R/p
ic Vidyalaya, Darganj, Allahabad.

ath Pandey, S/o B.D. Pandey, A/a 30 Yrs.
llage Kewalpur, Post Beri-Visa, District
i.

ant Shukla, S/o P.N. Shukla, R/o Ram Basic
aya, Daraganj, Allahabad.

ath, S/o Mangru, R/o Ram Basic Vidyalaya
nj, Allahabad.

Kumar Tripathi, S/o K.S. Tripathi, R/o
e Lakshagrah, Post Lakshagarh (Handia),
Allahabad.

Shanker Shukla, S/o Sri R.S. Shukla, R/o
o Ashram Ram Basic Vidyalaya, Daraganj Distt.
bad.

... Applicants.

Versus

of India through General Manager Northern
y, Baroda House, New Delhi.

Be 3

// 2 //

3. The senior Divisional Commercial, Superintendent
N. Rly Allahabad.

... Respondents

3. Original Application no. 110 of 1993

1. Syed Nizam Hussain, S/o Syed Ali Hasan, A/a 29 yrs.
R/o Mohalla Chiktoli, P.S. Hussaindbad, P.O.
Japla, District Palayam.
2. Ragubir Sharan Kharwar, S/o Sri S. Sunder, A/a 33 Yrs
R/o 877-A Shastri Colony, Distt Mugalsarai.

... Applicants

Versus

1. Union of India, through General Manager, N. Rly
Railway Board, Baroda House, New Delhi.
2. Chief Commercial Superintendent, N. Rly Baroda
House. New Delhi.
3. Divisional Railway Manager, Northern Railway
Nawab Yusuf Road, Allahabad.
4. Senior Divisional Commercial Superintendent,
N. Rly Nawab Yusuf Road Allahabad.

.... Respondents

4. Original Application no. 39 of 93

1. Nirala Singh, S/o R. Singh, a/a 30 Yrs, R/p
Ram Basic Vidyalaya, Darganj, Allahabad.
2. Tarak Nath Pandey, S/o B.D. Pandey, A/a 30 Yrs.
R/o Village Kewalpur, Post Beri-Visa, District
Varanasi.
3. Kamla Kant Shukla, S/o P.N. Shukla, R/o Ram Basic
Vidyalaya, Daraganj, Allahabad.
4. Amar Nath, S/o Mangru, R/o Ram Basic Vidyalaya
Daraganj, Allahabad.
5. Sushil Kumar Tripathi, S/o K.S. Tripathi, R/o
Village Lakshagrah, Post Lakshagarh (Handia),
Distt. Allahabad.
6. Shyam Shanker Shukla, S/o Sri R.S. Shukla, R/o
Vaishno Ashram Ram Basic Vidyalaya, Daraganj Distt.
Allahabad.

... Applicants.

Versus

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

Be 3

// 3 //

2. Chief Commercial Superintendent, Northern Railway Baroda House, New Delhi.
3. Divisional Railway Manager, N. Rly, Allahabad.
4. Senior Divisional Commercial Superintendent N. Rly Allahabad.

... Respondents

5. Original Application no. 38² of 1993

1. Fazal Karim. S/o Mohd. Kadim, R/o Village Chakiya, House no. 104/241 Rpost Office G.P.O. Distt Allahabad.
2. Ajay Kashyap, S/o P.S. Kashyap, R/o 63 J.K. Fourth Avenue, Railway Colony Smith Road, Allahabad.

... Applicants

Versus

1. Union of India, through General Manager, Northern Railway, Railway Board Baroda House N. Delhi.
2. Chief Commercial Superintendent, N. Rly Baroda House, New Delhi.
3. Divisional Railway Manager, Northern Railway Allahabad.
4. Senior Divisional Commercial Superintendent. Northern Railway Nawab Yusuf Road Allahabad.

.... Respondents.

6. Original Application no. 32 of 1993

1. Qamrul Hasan, A/a 29 Yrs S/o Late Sri S.N. Hasan, R/o 121 Dariyabad, Jogighat, Allahabad.

... Applicant

Versus

1. Union of India through Genral Manager N. Rly, Rly Board Baroda House New Delhi.
2. Chief Commercial Superintendent, N. Rly Baroda House, New Delhi.

1802

// 4 //

3. Divisional Railway Manager, Northern Railway, Nawab Yusuf Road, Allahabad.
4. Senior Divisional Commercial Superintendent, Northern Railway Allahabad.

.... Respondents

7. Original Application no. 1782 of 1992

1. Vinod Kumar Sharma, S/o Shri Chabi Lal, R/o 17/A Lahia Marg, Allahabad.

... Applicant

Versus

1. The Union of India through the Chairman, Railway Board, New Delhi.
2. The General Manager N. Rly Baroda House, New Delhi.
3. The Divisional Railway Manager, N. Rly Allahabad.

.... Respondents

8. Original Application no. 1534 of 1992

1. Shyam Narain Singh, S/o R.N. Singh, R/o Vill & Post Jamauli, Distt. Baksur, Bihar.
2. Ravindra Tripathi S/o Sri S.C. Tripathi, R/o Vill. Dharampur Ghurwa, Tehsil Phoolpur Allahabad.
3. Ram Bharat, S/o Birdhari Lal, R/o Deogalpur, Post Ma Mau Aima Distt. Allahabad.

.... Applicant

Versus

1. Union of India, through Secretary Railway Board, Rafi Marg, New Delhi.
2. General Manager, Northern Railway, Railway Bhawan (Baroda House) New Delhi.

1
Roh

// 5 //

3. Chief Commercial Superintendent. N. Rly Rail Bhawan (Baroda House) New Delhi.
4. Divisional Railway Manager, Northern Railway, D.R.M. Office Nawab Yusuf Road, Allahabad.
5. Senior Divisional Commercial Superintendent, N. Rly D.R.M. Office, Allahabad.

... Respondents

9. Original Application no. 352 of 1992

1. Rajendra Prasad Pandey, S/o Sri S.P. Pandey, R/o Vill Nanhcopur, P.O. Pahara, Distt. Mirzapur

... Applicant

Versus

1. The Union of India through General Manager, N. Rly New Delhi.
2. The Divisional Railway Manager, N. Rly Allahabad.
3. Senior Divisional Commercial Supdt. N. Rly DRM Office Allahabad.

.... Respondents

10. Original Application no. 430 of 1994.

1. Rajendra Kumar, S/o Sri P.N. Jaisawal, R/o 225 Gandhi Nagar, Mutthiganj, Distt. Allahabad.
2. Ramesh Chand, S/o Sri Late Hari Lal, R/o 19/216 Luker Ganj, Distt. Allahabad.

... Applicants

Versus

1. The Union of India through the General Manager N. Rly Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Senior Divisional Commercial Superintendent,

6

N. Rly, Allahabad.

... Respondents

11. Original Application no. 400 of 1994

1. Ram Niranjana Singh, A/a 38 Yrs, S/o Sri R.N. Singh
R/o 183-Alopibagh, Allahabad.
2. Km. Shashi Srivastava, A/A 26 Yrs, D/o Sri V.N.
Srivastava, R/o 1 Dhingwas Khothi, Alopibagh,
Allahabad.
3. Dinesh Kumar, A/a 33 Yrs, S/o Sri G.S. Lal Srivastava
R/o Village & Post Sindhora, Distt. Mirzapur.

... Applicants

Versus .

1. Union Of India, through General Manager, Northern
Railway, Railway Board, Baroda House. N. Delhi
2. Chief Personnel Officer, N. Rly, Baroda House.
New Delhi.
3. Divisional Railway Manager, Northern Railway, Nawab
Yusuf Road, Allahabad.
4. Senior Divisional Commercial Superintendent
N. Rly, Allahabad.

... Respondents.

12. Original Application no. 399 of 1994

1. Kadir Ahmad, S/o Sri Abdul Ghafoor Khan, A/a 30 Yrs
R/o 182/K/1, A.D.A Colony Rajporepur Allahabad.
2. Brijesh Prasad, S/o Sri Narain Prasad, A/a 26 Yrs,
R/o 93-Matiyara Roadm Alopibagh Allahabad.
3. Kamlesh Singh, S/o Sri Ram Bali Singh, a/a 37 Yrs,
R/o 129 Alopibagh, Allahabad.
4. Rajesh Kumar, S/o Narain Prasad, a/a 28 Yrs, R/o
544 Colonelganj, Allahabad.
5. Arun Kant Srivastava, S/o Sri M.P. Srivastava,
a/a 33 Yrs R/o Azad Square, Rumbagh, Allahabad.
6. Km. Vibha Sarawat, D/o S.R. Sarawat, a/a 32 Yrs
R/o 133-BC, Leader Road, Railway Colony Allahabad.
7. Km. Abha Sarawat, D/o S.R. Sarawat, a/a 27 Yrs

182

...7

// 7 //

R/o 133-BC, Lead Road, Railway Colony, Allahabad.

8. Ravi Shanker Srivastava, S/o Sri Prem Kumar,
A/e 26 Yrs, R/o 130-C/51-L Rajroop-pur,
Allahabad.

... Applicants

Versus

1. Union of India through General Manager, N. Rly,
Railway Board, Baroda House, New Delhi.
2. Chief Personnel Officer, N. Rly Baroda House,
New Delhi.
3. Divisional Railway Manager, N. Rly, Allahabad.
4. Senior Divisional Commercial Superintendent, N. Rly
Nawab Yusuf Road, Allahabad.

.... Respondents

13. Original Application no. 397 of 1994

1. Piyush Kumar Dwivedi S/o K.K. Dwivedi, A/e 29 Yrs
R/o 50-A Madhwapur Allahabad.
2. Ramesh Saran S/s Hari Shanker Lal, A/e 34 Yrs
R/o C-27/273-3, Indian Press Colony Jagatganj,
Varanasi.
3. Rajeev Kumar Srivastava, S/o P.M. Lal, a/e 30 Yrs
R/o CK-63/209-A Choti Piyarie District, Varanasi
4. Amulya Kumar Gupta, S/o Sri N.K. Gupta, a/e 30 Yrs
R/o 174 Purana Katra, Allahabad.
5. Surendra Kumar S/o K. Lal a/e 30 Yrs, R/o Vill. &
Post Halimpur, Distt. Varanasi.
6. Rakesh Behari Srivastava, S/o K.B. Srivastava,
A/e 26 Yrs, R/o 12 Ghas-Ki-Satti, Khuladbad,
Allahabad.
7. Priya Kant Srivastava, S/o Sri A.N. Lal, a/e 33 Yrs
R/o S-1/64-2G Chupe-Pur, Distt. Varanasi.
8. Praveen Kumar S/o Sri P. Prakash, A/e 28 Yrs R/o Shiv
3/13-K-8, Nawalpur Colony, Meerapur Basahiee,
Varanasi.

... Applicants

Versus

Poch

1. Union of India, through General Manager, N. Rly, Railway Board, Baroda House. New Delhi.
2. Chief Personnel Officer, Northern Railway, Baroda House, New Delhi.
3. Divisional Railway Manager, Northern Railway, Nawab Yusuf Road, Allahabad.
4. Senior Divisional Commercial Superintendent N. Rly Nawab Yusuf Road, Allahabad.

... Respondents.

14. Original Application no. 1702 of 93

1. Rajendra Prasad, A/a 24 Yrs, S/o Sri Raj Bahadur Singh, R/o Vill Khapati, Post Khapatia, Distt Allahabad.
2. Dharam Pal Singh, A/a 32 Yrs, S/o L.R. Singh, R/o Vill. Ghambir Singh Pur (Sawan) P.O. Aurai, Distt. Varanasi.
3. Mahesh Prasad, A/a 35 Yrs, S/o Sri Ramji Prasad R/o Mohalla Parsurampur, Post Mughalsarai, Distt Varanasi.
4. Munna Lal, A/a 29 Yrs, S/o Sri Cheddi Ram, R/o Vill Chandhasi (Khuswaha Basti) Post Chandhasi, Mughalsaria. Distt. Varanasi.

... Applicants

Versus

1. Union of India, through General Manager, N. Rly Baroda House, New Delhi.
2. Chief Commercial Superintendent, N. Rly, Baroda House, New Delhi.
3. Divisional Railway Manager, N. Rly Nawab Yusuf Road, Allahabad.
4. Senior Divisional Commercial Superintendent, DRM Office, Allahabad.

... Respondents

15. Original Application no. 1227 of 1993

1. Lal Bahadur, S/o Sri Jhanna, A/a 28 Yrs, R/o vill

ber

// 9 //

Bhawarohi, P.O. Sindhaur, Distt. Mirzapur

2. Kishorilal, S/o Jhanna, A/a 32 Yrs R/o Vill. Bhawarohi, P.O. Sindhaur, District Mirzapur.
3. Horilal, S/o Jhanna, A/a 30 Yrs, R/o Vill Bhawarohi, P.O. Sindhaur, Distt. Mirzapur.
4. Dinesh Prasad, S/o Sri Shvnath Prasad, A /a 32 Yrs R/o Vill & P.O. Baraini, Distt. Mirzapur
5. Ram Subhag, S/o Sri D. Singh, A /a 27 Yrs, R/o vill Murahuan, P.O. Shikarganj Distt. Varanasi.
6. Sunil Kumer, S/o Sri Banshi Lal a/a 31 Yeras r/o B.P. 285 Ravi Nagar Colony, Near Kali Manir Mughalsarai, Varanasi.

... Applicants.

Versus

1. Union of India through General Manager, N. Rly Railway Board Baroda House. New Delhi
2. Chief Personnel Officer, N. Rly Baroda House, New Delhi.
3. Divisional Railway Manager, Northern Railway, Nawab Yusuf Road, Allahabad.
4. Senior Divisional Commercial Superintendent N. Rly, Nawab Yusuf Road, Allahabad.

... Respondents

15. Original Application no. 873 of 1993

1. Santosh Kumar Dwivedi, S/o Late Sri R.M. Dwivedi R/o Vill & Post Sindthora, District Mirzapur
2. Randhir Singh, S/o S.N. Singh, r/o Vill Sultanpur, P.O. Makhmeur Distt. Mau.
3. Virendra Singh, s/o Sri S. Singh, r/o Vill Rampur Post Rampur Dhamava Distt. Allahabad.
4. Jitendra Bahadur Singh, s/o sri A. Singh, r/o vill and Post Rampur Dhamava, Distt. Allahabad.
5. Ran Vijai Singh, s/o B.R. Singh, r/o vill & post Rampur Dhamava, Distt Allahabad.
6. Vinay Kumar Singh, s/o sri Mahesh Singh a/a 22 Years r/o vill & post Rampur, Dhamava, Distt. Allahabad.
7. Bodha Singh, s/o sri R. Bahadur, r/o vill chadpur,

Per

... 10

post Bhिताura, Distt. Fatehpur.

8. Ram Kripal Singh s/o sri A . Singh, R/o Vill Sahimapur, post Bhिताura, Distt. Fatehpur.
9. Kunwar Rajendra Singh, S/o sri J.B. Singh, s/o Badi Madari, Post Siswan, Distt. Allahabad.
10. Raghvendra Pratap Singh, S/o Sri V.Singh r/o vill Churiyani, post churiyani Distt. Fatehpur.
11. S.C. Mishra, S/o R.S. Mishra, r/o vill Jathi Post Mahiddinpur, Distt. Allahabad.
12. Hardwar, S/o Ram Singh, r/o vill and Post Kaunia Distt. Azamgarh.
13. Ajai Kumar Srivastava, S/o sri (Late) Saheb Lal Srivastava, r/o Vill & post Sindthora, Distt. Mirzapur.
14. Anant Pathak, S/o S.N. Pathak, r/o B-24 G.T.B. Karelli Allahabad.
15. Kunwar Surendra Singh, S/o J.B. Singh r/o Vill Beli Madari, post Siswan, Distt Allahabad.
16. Ramesh Singh, s/o M. Singh, r/o vill and post Rampur I Dhamava, Distt Allahabad.
17. S.K. Gupta, S/o K.L. Gupta, r/o 4 HB/107 Ganga Nagar Colony Varanasi.
18. Hishamuddin, S/o sri Sahauddin, r/o 537-A Ghanshyam Nagar Colony Allahabad.

... Applicants

Versus

1. Union of India, through General Manager, N. Rly Railway Board, Baroda House, N. Delhi.
2. Chief Personnel Officer, Northern Railway, Baroda House, New Delhi.
3. Divisional Railway Manager, Northern Railway, Nawab Yusuf Road, Allahabad.
4. Senior Divisional Commercial Superintendent, Northern Railway Allahabad.

... Respondents

1
Bach

(11)

17. Original Application no. 779 of 1993

1. Mahesh Kumar, S/o Sri H. Lal, r/o New Lasker Line, Purana Baihrana, Allahabad.

... Applicants

Versus

1. The Union of India through the General Manager, Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway Allahabad.
3. The Senior Divisional Commercial Superintendent Northern Railway Allahabad.
4. The senior Divisional Personal Officer, N. Rly Allahabad.
5. The Senior Divisional Accounts Officer, N. Rly Allahabad.

... Respondents

18. Original Application no. 746 of 1993

1. Samarnath Singh S/o Salik Ram r/o vill Kureh-Khurd, P.O. Mugalsarai Distt Mugalsarai.
2. Om Prakash Sharma, S/o Late Sri Puttoo Lal Sharma r/o vill Parshurampur (sikatia) P.O. Mugalsarai, Distt Mugalsarai.

... Applicants

Versus

1. Union of India, through General Manager N. Rly Railway Board, Baroda House. New Delhi
2. Chief Personnel Officer, N. Rly Baroda House N. Delhi.
3. Divisional Railway Manager N. Rly Allahabad.
4. Senior Divisional Commercial Superintendent, N. Rly Allahabad.

... Respondents

19. Original Application no. 530 of 1993

1. Ramesh Chandra, S/o Sri R. Chandra, r/o vill Umarganj P.S. Raipur, Tehsi Machlishahr, District Jaunpur.

Doc

... 12

2. Satya Prakash, s/o Adhya, a/a 30 yrs r/o vill Rampur Sawai, P.O. Rajupur, Tehsil Machlishahr Distt. Jaunpur.
3. Jamuna Prasad, s/o Srinath r/o Gopalpur, p.o. Rampur Tehsil Patti, Distt Pratapgarh.
4. Sri Ram Singh s/o sri Murali, a/a 29 yrs r/o Vill Behdaul Khurd, P.O. Surwan Misirp ur, Tehsil Patti Distt. Pratapgarh.
5. Uma Shanker, S/o sri Chote Lal r/p vill Banbirpur P.O. Raipur, Tehsil Machlishahr Distt Jaunpur.
6. Laxman Singh, S/o sri Murali, r/o vill Behdaul Khurd, p.o. Surwan misirpur, Tehsil Patti Distt Pratapgarh.
7. Girja Shankar, S/o sri Chhote Lal A /a 31 yrs r/o vill Vanbirpur, P.O. Raipur, Tehsil Machlishahr Distt. Jaunpur.
8. Rajendra Prasad, S/o sri Ram Lal, r/o Umarganj P.O. Raipur, Tehsil Machlishahr, Distt Jaunpur.
9. Amrit Lal, S/o Sri nath r/o vill Umarganj P.O. Raipur, Tehsil Machlishahr District Jaunpur.
10. Hira Lal, Spo Sri Ram Nath, r/o vill Umarganj, P.O. Raipur, Tehsil Machlishahr, Distt. Jaunpur.

... Applicants

11

Versus

1. Union of India through General Manager, Northern Railway Railway Board, Baroda House, New Delhi.
2. Chief Personnel Officer, Northern Railway, Baroda House, New Delhi.
3. Divisional Railway Manager, N. Rly Nawab Yusuf Raod Allahabad.
4. Senior Divisional Commercial Superintendent, N.Rly Allahabad.

... Respondents

20. Original Application no. 479 of 1993
1. Shiv Shanker, S/o Ram Lakhan, r/o vill Behdaul Khurd Post Gaura Distt. Pratapgarh
2. Hari Shanker, S/o sri Chottey Lal, r/o vill Banvirpur post Rampur, Distt Jaunpur.
3. Ram Bahadur, S/o sr. Mohan Lal, r/o Purani Bardahi Bazar, Post Mukundasaganj, Tehsil Patti, Distt. Pratapgarh.

102

4. Ram Ashrey, S/o sri Ram Adhar, r/o village Sukhan Misirpur, Post Suvansa, Tehsil Patti. Distt Pratapgarh.
5. Vibha Shanker, S/o sri Chottey Lal r/o vill Banveerpur, Post Rampur Distt Jaunpur.
6. Ram Khelewan, S/o sri Kandhai. r/o vill Sawai Rampur Post Serai Bika, Distt. Jaunpur.
7. Ram Dahadur, S/o sri Ram Abhilash, r/o vill pure Kharagrai, Post Suvansa, Distt. Pratapgarh.
8. Ramshanker, S/o sri Chottey Lal, r/o Banveerpur, post Rampur Distt. Jaunpur.
9. Lalji, S/o sri Matapher, r/o vill Meerpur, post Madhupur, Distt. Jaunpur.
10. Shesh Nath, s/o sri Mata Saran, r/o vill & Post Silaudhi, Distt. Pratapgarh.

... Applicant

Versus

1. Union of India through General Manager, N. Rly Railway Board Baroda House, New Delhi.
2. Chief Personnel Officer, Northern Railway, Baroda House, New Delhi.
3. Divisional Railway, Manager, Northern Railway Allahabad.
4. Senior Divisional Commercial Superintendent Northern Railway Allahabad.

... Respondents

20. Original Application no. 416 of 1993

1. Kishan Singh, S/o sri Ram Nagina Singh r/o U yard Colony Qr. no. 702-C, Mugalsarai, Distt. Varanasi.
2. Ramesh, S/o sri Ramji r/o vill & P.O. Parshurampur sibtian post Mugalsarai, Distt. Varanasi.
3. Ashok Kumar Pandey, s/o sri Balmiky Pandey r/o Sibtian, Parshurampur, P.O. Mugalsarai, Alinagar Distt. Varanasi.
4. Prem Kumar Srivastava, S/o sri S.M. Srivastava, r/o Loco Colony Qr. no. 128-K Mugalsarai Distt Varanasi.
5. Dilip Kumar Sinha, s/o sri Deep Narain Lal, R/o Hapur Colony Qr. no. 694-A Mugalsarai, Distt. Varanasi.

... Applicants

BCL

// 14 //

Versus

1. Union of India through General Manager, N. Rly Railway Board, Baroda House, New Delhi.
2. Chief Personnel Officer, Northern Railway, Baroda House, New Delhi.
3. Divisional Railway Manager, Northern Railway Allahabad.
4. Senior Divisional Commercial Superintendent, Northern Railway, Nawab Yusuf Road, Allahabad.

... Respondents

21. Original Application no. 1006 of 1992

1. Santosh Kumar s/o sri B.G. Sharma, r/o 146-A Loco colony Aligarh.

... Applicant

Versus

1. Union of India through the General Manager, N. Rly Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Senior Divisional Commercial Superintendent, N. Rly Allahabad.

... Respondents

23. Original Application no. 1303/92

1. Sushil Kumar Pandey, S/o Pt.R.N. Pandey, r/o 60 Bhendari Station Rd. Jaunpur.
2. Smt. Jyoti Saxena, w/o Sri R. Saxena, 99/303, Sisamau Badha Gauraha, Kanpur.

... Applicants.

Versus

1. Union of India through General Manager, N. Rly Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway

102 15

// 15 //

Allahabad.

3. The Senior Divisional Commercial Supdt. N. Rly
DRM Office. Allahabad.

... Respondents

24. Original Application no. 1715/92

1. Indu Prabha Pander, w/o sri S.N. Pandey, r/o
94/1A Galla Bazar Tilharganj. Allahabad.
2. Smt. Madhuri Mishra, w/o Sri O.P. Mishra, r/o
62. Bhandari Station Road, Jaunpur.

... Applicant

Versus

1. Union of India through General Manager, N. Rly
Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Senior Divisional Commercial Supdt. N. Rly DRM
Office, Allahabad.

... Respondents

25 Original Application no. 139/93

1. Kripa Shankar, S/o Sri V. Nath, Vill Mata-ka-pura
P.O. Ram Nagar, Distt. Allahabad
2. Umesh Chandra, S/o Sri S. Prasad, R/o Vill Tikari
P.O. Bhamni Hitar, Distt. Allahabad.

... Applicants

Versus

1. Union of India through General Manager N. Rly
Baroda House. New Delhi.
2. Divisional Railway Manager, N. Rly, Allahabad
3. Sr. Divisional Commercial Superintendent, N. Rly
DRM Office Allahabad.

... Respondents

Recd

... 16

26. Original Application no. 514/93

1. Sri Krishna Mand Pathak, S/o Sri T. Pathak, r/o vill. Amaon, P.O. Sahibganj, Distt. Varanasi
2. Subit De, S/o S.K. De, r/o Uma Kutir, Station Road, Jaunpur.

... Applicant

Versus

1. Union of India through General Manager N. Rly Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly, Allahabad.
3. Sr. Divisional Superintendent Commercial N. Rly DRM Office, Allahabad.

... Respondents

27. Original Application no. 777/93

1. Satya Prakash Mishra, S/o Sri R.S. Mishra, R/o A/3, 176 Krishna Nagar, Keedganj, Allahabad.

... Applicant

Versus

1. Union Of India through General Manager, N. Rly Baroda House New Delhi.
2. The Divisional Railway Manager, N. Rly Allahabad.
3. Sr. Divisional Commercial Superintendent, N. Rly DRM Office Allahabad.

... Respondents

28. Original Application no. 487/93

1. Shashi Kumar Mishra, S/o R.A. Mishra, r/o Vill Ghatwa Post Karchana, P.S. Karchana, Distt Allahabad. Present Address 134- Tula Ram Bagh Allahabad.
2. Rajendra Prasad Mishra, S/o Sri D.P. Mishra Vill Kasidahan, Post Nathaipur, Distt. Varanasi
3. Anoop Singh, S/o Sri S.P. Singh, R/o Vill. and P.O. Ram Nagar Bhojpur, P.S. Antoo, Distt. Pratapgarh.

... Applicants

Versus

// 17 //

1. Union of India through General Manager, N. Rly Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Senior Divisional Commercial Superintendent N. Rly Allahabad.
4. Senior Divisional Personnel Officer, Northern Railway Allahabad.
5. Senior Divisional Accounts Officer N. Rly Allahabad.

... Respondents

29. Original Application no. 1028/93

1. Rajesh Kumar Tripathi, S/o Sri R. Tripathi R/o 35A/7/1, Jayantipur, Dhumangang Allahabad.

... Applicant

Versus

1. Union of India through General Manager N. Rly Baroda House, N. Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Senior Divisional Commercial Manager, N. Rly DRM. Office Allahabad.

... Respondents

30. Original Application no. 1243/93

1. Shiv Prakash Dubey, S/o S.D. Dwivedi, r/o Vill. Nawapura (Kakraha) P.O. Fatehpur, Distt. Mau.

... Applicant

Versus

1. Union of India through General Manager N. Rly Baroda House. New Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Senior Divisional Commercial Manager, N. Rly Allahabad.

... Respondents

Boh

... 15

31. Original Application no. 1362/92

1. Pawan Kumar Pandey, S/o Sri S.S. Pandey, R/o 161/5 A, Azad Nagar, South Malaka, Allahabad.
2. Arun Kumar Singh, S/o Late Sri Ramkant Singh, R/o Vill./P.O. Kaju, Allahabad.

... Applicant

Versus

1. Union of India through General Manager N. Rly Baroda House. New Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Sr. Divisional Commercial, Superintendent N. Rly Allahabad.

... Respondents

32. Original Application no. 1511/92

Suresh Kumar Srivastava, S/o Sri R.K.L. Srivastava
r/o 36A/60, Jadhwal, Tilharganj Allahabad.

... Applicant

Versus

1. The Union of India through General Manager, N. Rly Baroda House. New Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Sr. Divisional Commercial Supdt. N. Rly JRM Office Allahabad.

... Respondents

33. Original Application no. 1609/92

1. Sharda Babu, S/o Ghassit Lal, R/o 165, Nakhas Kona, Allahabad.
2. Asrar Ahmad, S/o Sri Abrar Ahmad, r/o 553 Attarsuiya, Allahabad.

.... Applicant

Versus

Recd

// 19 //

1. Union of India through General Manager M. Rly Allahabad.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Sr. Divisional Commercial Supdt. N. Rly Allahabad.

... Respondents

34. Original Application no. 1628/92

1. Vijai Kumar Sinha, S/o Sri D.N. Lal, r/o Hapur Colony Qr. no. 694-A Mughalsarai.
2. Sunil Kumar Sinha, S/o Sri V.N. Lal, R/o Qr. no. 693-B Hapur Colony Mughalsarai.
3. Narayan Dutt Dubey, S/o Late Sri K.D. Dubey, r/o 131-GH, First Avenue, Railway Colony, Smith Road Allahabad.

... Applicants

Versus

1. Union of India, through General Manager, N. Rly Baroda House. New Delhi.
2. Chief Commercial Superintendent, N. Rly Baroda House New Delhi.
3. Divisional Railway Manager, N. Rly Allahabad.
4. Sr. Divisional Commercial Supdt. N. Rly Allahabad.

... Respondents

35. Original Application no. 1663/92

1. Mithlesh Kumar Mishra, S/o Sri H.R. Mishra r/p 41-C Baghambari Road, Tilak Nagar, Allahabad.
2. Sharad Dhyani, S/o Late Sri G.P. Dhayani, r/o C/o G.P. Dhayani, Prayag Sangit Samiti, 12-C Kamla Nehru Road, Allahabad.
3. Ramji Verma, S/o Sri R.N. Verma r/o House no. 173/B Railway Colony no. 1 Subedarganj, Allahabad.

... Applicants

Boch

Versus

1. Union of India through General Manager, N. Rly Baroda House, New Delhi.
2. Chief Commercial Superintendent, N. Rly Baroda House New Delhi.
3. Divisional Railway Manager N. Rly Allahabad.
4. Sr. Divisional Commercial Supdt. N. Rly Allahabad.

... Respondents.

36. Original Application no. 1773/92

1. Vinod Kumar S/o Sri R.Y. Ram, r/o C 757, GTB Nagar Kareli Allahabad.
2. Virendra Kumar, S/o Sri R.S. Ram, R/o 23/B/76/C/1003, Allapur, Allahabad.
3. Sanjay Kumar Srivastava, S/o Sri R.P. Srivastava r/o 14B/5A, Chakia, P.O. GTB Nagar, Allahabad.

... Applicants.

ly

Versus

1. Union of India through General Manager, N. Rly New Delhi.
2. The Divisional Railway Manager, N. Rly Allahabad.
3. Sr. Divisional Comml. Supdt. Northern Railway DRM Office Allahabad.

... Respondents

37. Original Application no. 1821/92

1. Sudhir Kumar /S/o Sri Hridaya Narain south of Janta Road, New Yar, Distt. Patna, Present Address. 101 Anand Bagh Old Baiharana Allahabad.

... Applicant

Versus

Recd

// 21 //

1. Union of India through Gneral Manager, N. Rly Baroda House. New Delhi.
2. Divisional Railway Manager, N.Rly Allahabad.
3. Sr. Divisional Commercial Supdt.N. Rly Allahabad.
4. Sr. Divisional Personnal Officer N. Rly Allahabad.
5. Sr. Divisional Accounts Officer, N. Rly Allahabad.

... Respondents

38. Original Application no. 1822/92

1. Arun Kumar, S/o Sri G.P. Srivastava, r/o 101, Old Baiharana Allahabad.

... Applicant

Versus

1. Union of India through the General Manager, N. Rly Baroda House. Allahabad.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Sr. Dvisional Commercial Supdt. N. Rly. Allahabad.
4. SE. Divisional Personnal Officer, N. Rly Allahabad.
5. Sr. Divisional Accounts Officer, N. Rly Allahabad.

.. Respondents

39. Original Application no. 1825/92

1. Virendra Pratap Singh, S/o R. Singh, R/o Murahan, Post Shikarganj, Distt. Varanasi.
2. Virendra Bahadur Singh, S/o Sri R.B. Singh, R/o Vill Prempur, Post Chakia, Distt. Varanasi.
3. Mohan Prasad, S/o Sri Lalji, R/o Vill Murahan, Post Shikarganj, Distt. Varanasi.
4. Erij Raj Yadav, S/o Sri B.R. Yadav, R/o Vill Murahan, Post Shikarganj, Distt. Varanasi.
5. Krishna Munari, Singh, S/o Sri R. Murat, r/o vill Mura han, post Shikarganj, Distt. Varanasi.
6. Surendra Pratap Singh, S/o Sri R.B. Singh, R/o Vill PrempurPost chakia, Distt. Varanasi.

.. 22

// 22 //

Versus

1. Union of India through General Manager, N. Rly Baroda House New Delhi.
2. Chief Commercial Superintendent, N. Rly Baroda House New Delhi.
3. Divisional Railway Manager, N. Rly Allahabad.
4. Sr. Divisional Commercial Superintendent, N. Rly, Allahabad.

... Respondents

40. Original Application no. 1231/92

1. Alok Kumar, Sinha, s/o Sri S.P. Sinha, r/o 233, Old Bairahana, Allahabad.
2. Ajai Srivastava, s/o Sri Om Prakash, r/o 86/51 Kala Danda Bhawapur, Himmatgang, Allahabad.

... Applicants

Versus

1. Union of India through General Manager, N. Rly Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Sr. Divisional Commercial Supdt. N. Rly Allahabad.

... Respondents

41. Original Application no. 383/92

1. Shwetank Verma, s/o Sri B.P. Verma, r/o 25, Ghas ki Satti, Khuldabad. Allahabad.

.. Applicant

Versus

1. Union of India through General Manager N. Rly Baroda House, New Delhi.
2. General Manager, N. Rly, Railway Bhawan (Baroda House), New Delhi.

Doc 2

// 23 //

3. Chief Commercial Supdt. N. Rly, Rail Bhawan, Baroda House, New Delhi.
4. Divisional Railway Manager, N. Rly, DRM Office Allahabad.
5. Sr. Divisional Commercial Supdt. N. Rly, Allahabad.

... Respondents

42. Original Application no. 643/94

1. Shiv Dayal Pandey, s/o Late Sri Pt. Krishan Pandey r/o Block no.27/10, Labour Colony, Naini Allahabad.

... Applicant

Versus

1. The Union of India through General Manager, N. Rly Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly, Allahabad.
3. Sr. Divisional Commercial Manager, N. Rly Allahabad.

... Respondents

43. Original Application no. 61/94

1. Santosh Kumar Sinha, s/o L.J. Sinha, a/a 32 Yrs. r/o Vill Kanharpur, P.O. Khardan, Distt. Varanasi.

... Applicant

Versus

1. Union of India through General Manager, N. Rly, Baroda House, New Delhi.
2. Chief Commercial Supdt. N. Rly Baroda House, New Delhi.
3. Divisional Railway Manager, N. Rly, Allahabad.
4. Sr. Divisional Commercial Supdt. DRM Office Allahabad.

... Respondents

Recd

// 24 //

42. Original Application no. 394/93

1. Anand Singh, S/o Sri S.L. Singh, r/o 524-A, Traffic Colony Allahabad.
2. Raj Kumar Singh, S/o Sri M. Dayal Singh, r/o 5-M.G. Marg, Allahabad.
3. Sai Prakash Singh, S/o Sri M.D. Singh, r/o 5 M.G. Marg, Allahabad.
4. Santosh Kumar Singh, S/o Sri M.D. Singh, r/o 5-M.G. Marg Allahabad.
5. S.K. Singh, S/o N.B. Singh, r/o 13/3 Kerela Bag Colony, Allahabad.
6. Umesh Pratap Singh, S/o Sri K.P. Singh, Retd. Principal P.B. Inter College. Pratapgarh.
7. Sunil Kumar Singh, S/o Sri J.B. Singh, r/o Vill. Gujaria, Post Urayadeeh, Distt. Pratapgarh.
8. Anil Kumar Singh, S/o Sri R.P. Singh, r/o Vill. Gujaria, Post Urayadeeh, Distt. Pratapgarh.
9. Chandan Adhikari, s/o Sri N.N. Adhikari, r/o 695-B, Loco Colony Allahabad.
Late
10. Sunil Kumar Barua, S/o Sri J.C. Barua, r/o 89 R.N. Nagar Allahabad.
11. Rajai Kumar Srivastava, S/o Sri R.B.L. Srivastava, r/o 152 Balua Ghat, Allahabad.
12. Mukesh Kumar Srivastava, S/o Sri U.S. Srivastava, R/o 128 Matiyara Road, Allahabad.

... Applicants.

versus

1. Union of India, through General Manager, N. Rly Railway Board, Baroda House. New Delhi.
2. Chief Personnal Officer, N. Rly Baroday House, New Delhi.
3. Divisional Railway Manager, N. Rly Allahabad.
4. Sri. Divisional Commercial Supdt., N. Rly Allahabad.

... Respondents

43. Original Application no. 633/92

1. Ramji, S/o Late Sri Lalaram, r/o 61A/i Teliarganj, Allahabad.

... Applicant

Bcl

// 25 //

Versus

1. Union of India, through General Manager, N. Rly Baroda House, New Delhi.
2. The Divisional Railway Manager, N. Rly. Allahabad.
3. Sr..Divisional Commercial Supdt. N. Rly Allahabad.

... Respondents

46. Original Application no. 706/92

1. Dipak Kumar Singh, S/o Sri (Late) B. Singh, r/o 1B/8A Bhangambri Road, Allahpur, Allahabad.
2. Akhter Naim Siddique, S/o Sri M.U. Siddique, r/o 174 New Mehndori Colony, Allahabad.
3. Mohd. Kaleem, S/o Sri Amir Uddin, r/o Vill patulki, P.O. Kanehti Distt. Allahabad.
4. Dilip Kumar, s/o Sri A.P. Srivastava, R/o 9 Elgin Road, Civil Lines, Allahabad.
5. Km. Shashi Srivastava, D/o Sri L.N. Srivastava, r/o 347, LIG Govindpur Colony, Allahabad.
6. Suresh Pratap Singh, s/o Sri Ram Nesh Singh, r/o Vill Chand Kamaniya, P.O. Khuti, P.S. Khera, Distt. Allahabad.

... Applicant

Versus

1. Union of India through Secretary, Railway Board, Rafi Marg, New Delhi.
2. General Manager, N. Rly Railway Bhawan, (Baroda House) New Delhi.
3. Chief Commercial Supdt. N. Rly Railway Bhawan (Baroda House) Allahabad.
4. Divisional Railway Manager, N. Rly, Allahabad.
5. Sr. Divisional Commercial Supdt. N. Rly, DRM Office, Allahabad.

... Respondents

47. Original Application no. 648/92

1
Bor

// 26 //

1. Ram Murtes, S/o Mewa Lal, r/o 71 A Dale Allapur, Allahabad.

... Applicants

Versus

1. Union of India through General Manager, N. Rly Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Senior Divisional Commercial Supdt. N. Rly Allahabad.

... Respondents

48. Original Application no. 731/92

1. Raj Kumar Mishra, S/o Sri K.K. Mishra, r/p 26/10, Shiv Kutti, Kripal Bhawan, Allahabad.
2. Frank Richard Menesse, S/o Sri M.R. Menesse, 94/37, Old Mumfordganj, Allahabad.

... Applicant.

Versus

1. Union of India, through General Manager, N. Rly Rail Bhawan, Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly DRM Office, Allahabad.
3. Senior Divisional Commercial Supdt., DRM Office, Nawab Yusuf Road, Allahabad.

... Respondents

49. Original Application no. 736/92

1. Prakash Chandra, Pandey, S/o M.D. Pandey, r/o Vill & Post Dubawal, Distt. Allahabad.

... Applicant

Versus

1. Union of India, through Secretary, Railway Board, New Delhi.
2. General Manager, N. Rly Railway Bhawan (Baroda House) New Delhi.

bel

// 27 //

3. Chief Commercial Supdt. N. Rly Railway Board, New Delhi.
4. Divisional Railway Manager, No. Rly DRM Office Allahabad.
5. Sr. Divisional Commercial Supdt. N. Rly, DRM Allahabad.

... Respondents

50. Original Application no. 880/92

1. Gulab Ram, S/o Ram Daur, r/o vill. Senapur, P.O. P.O. Senapur, Distt. Jaunpur.

... Applicant.

Versus

1. Union of India through General Manager, N. Rly Baroda House. New Delhi.
2. Divisional Railway Manager, N. Rly, Allahabad.
3. Sr. Divisional Commercial Supdt. N. Rly, DRM Office, Allahabad.

... Respondents

51. Original Application no. 961/92

1. Durgesh Mani Mishra, S/o Sri C.P. Mishra, R/o 433-KL Kydganj, Allahabad.
2. Permeshwar Prasad Trivedi, s/o Sri R.K. Trivedi r/o 116-A Bahadurganj, Thakur Din Ka Hatha, Distt. Allahabad.
3. Mehendra Prasad Mishra, s/o Sri K.P. Mishra, r/o 577-A Nai Basti, Neta Nagar, Distt. Allahabad.

... Applicant.

Versus

1. Union of India through General Manager N. Rly Baroda House, New Delhi.
2. Chief Commercial Supdt., N. Rly Baroda House, New Delhi.
3. Divisional Railway Manager, N. Rly Allahabad.
4. Senior Divisional Commercial Supdt. DRM Office, N. Rly Allahabad.

... Respondents

52. Original Application no. 267/92

1. Dinesh Prasad Pandey, S/o Sri R.N. Pandey, r/o vill. Belwan, P.O. Pahara, Distt. Mirzapur.

... Applicant

Versus

1. Union of India through General Manager N. Rly New Delhi.
2. Divisional Railway Manager, No. Rly Allahabad.
3. Sr. Divisional Commercial Supdt. N. Rly Allahabad.

... Respondents

53. Original Application no. 1203/92

1. Krishna Lal S/o Sri G. Sahai, r/o 12/14 M.G. Marg, G.G.I.C. Compound, Allahabad.
2. Mahendra Singh S/o Sri U. Singh, r/o 2/45, Rama Nand Nagar, Matiyara Road, Allahpur, Allahabad.
3. Hari Shanker Singh, S/o Sri Ram Autar Singh, r/o 2/45, Rama Nand Nagar, Matiyara Road, Allahabad.
4. Tej Bahadur Ram, S/o Sri Dal Singh Ram, R/o 87-A/2-C, Baghambari Road, Allahpur, Allahabad.
5. Yogendra Nath, S/o Sri Dudh Nath, r/o 535, Colonel Guri Allahabad.

... Applicants.

Versus

1. Union of India through General Manager, N. Rly Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway, Allahabad.
3. Sr. Divisional Commercial Supdt., N. Rly Allahabad.

... Respondents

1
Doc

// 29 //

54. Original Application no. 1207/92

1. Suresh Chandra Gupta, S/o Sri Raja Ram Gupta, r/o 2 /3, New Rewa Building, Leader Road, Allahabad.
2. Pertho Sarthi Dobdar, s/o sri R.K. Dobdar, 294, Akbar Pur, Allahabad.

... Applicants.

Versus

1. Union of India through General Manager, N. Rly, Baroda House, N. Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Sr. Divisional Commercial Supdt. N. Rly Allahabad.

... Respondents.

55. Original Application no. 1345/92

1. Krishnakant Srivastava, S/o Sri (Late) Munni Lal Srivastava, r/o Rama Nand Nagar, Bhardwaj Puram Allahabad.
2. Smt. Usha Kani Srivastava, W/o Sri D.C. Srivastava r/o 520/KL Kydganj, Allahabad.
3. Rakesh Srivastava, S/o Sri Kripa Shankar, r/o 72- C/2, Matiar Road, Bharadwaj Puram, Allahabad.
4. Ghan Shyam Singh, S/o Sri B.R. Singh, R/o vill Narayanpur, Post Shivgarh, Distt. Allahabad.
5. Brijesh Kumar Pandey, S/o sri S.K. Pandey, r/o 46, Kunche Rai Ganga Prasad, Malviya Nagar, Allahabad.

... Applicants

Versus

1. Union of India through General Manager, N. Rly Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly, Allahabad.
3. Sr. Divisional Commercial Supdt. N. Rly, Allahabad.

... Respondents

Recd

56. Original Application no. 1344/92

1. Vinod Kumar Srivastava, S/o Sri R.P. Srivastava, r/o 751, Muir Road, Rajapur, Allahabad.

... Applicant

Versus

1. Union of India through General Manager, N. Rly Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly, Allahabad.
3. Sr. Divisional Commercial Supdt., N. Rly Allahabad.

... Respondents

57. Original Application no. 1280/92

1. S.M. Imamuddin, S/o Sri S.H. Imamuddin, R/o 781/O, Ghanshyam Nagar, Railway Colony, Allahabad.
2. Dheerendra Nath Saxena, s/o Sri Deena Nath Saxena R/o 46-21-A/7 Ramen Ka Pura, Sulem Sarai, Allahabad

... Applicants

Versus

1. Union of India through General Manager, N. Rly Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Sr. Divisional Commercial Superintendent, N. Rly Allahabad.

... Respondents

58. Original Application no. 1239/92

1. Prem Shanker, S/o Sri G. Shanker, r/o 36/31 Kala Danda, Himmatgang, Allahabad.
2. Kameshwar Nath Sharma, S/o Sri Ram 131- Nirala Nagar Lucknow.

... Applicant.

Versus

1. Union of India through General Manager, N. Rly, Baroda House, Allahabad.
2. Divisional Railway Manager, N. Rly, Allahabad.

Bel

3. Sr. Divisional Commercial Supdt. N. Rly Allahabad.
... Respondents

59. Original Application no. 647/92

1. Verun Kumar Shukla, S/o Sri S.P. Shukla, r/o
79 A Minhazpur, Beni Ka Hata, Allahabad.

... Applicant

Versus

1. Union of India through General Manager, N. Rly
Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly, Allahabad.
3. Sr. Divisional Commercial Supdt. N. Rly
Allahabad.

... Respondents

60. Original Application no. 494/92

1. Suresh Kumar S/o Sri Tulsi Ram r/o 25, Lukar Ganj,
Allahabad.

... Applicant

Versus

1. Union of India through General Manager, N. Rly
Baroda House, New Delhi,
2. The Divisional Railway Manager, N. Rly, Allahabad.
3. The Senior Divisional Commercial Supdt. N. Rly
Allahabad.
4. Sr. Divisional Personnel Officer, N. Rly, Allahabad.
5. Sr. Divisional Accounts Officer, N. Rly Allahabad.

... Respondents

61. Original Application no. 495/92

1. Ranjini Kant Patel, S/o Sri Chandra Shekhar, R/o
2, Rama Mand Nagar, Allahpur, Allahabad.

... Applicant.

Per

Versus

1. Union of India through the General Manager, N. Rly Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Seniro Divisional Commercial Supdt. N. Rly Allahabad.
4. Sr. Divisional Personnel Officer, N. Rly Allahabad.
5. Sr. Divisional Accounts Officer, N. Rly Allahabad.

... Respondents

62. Original Application no. 513/92

1. Prabha Shankar Yadav, S/o Sri R.P. Yadav, r/o 10 Thron hill Road, Allahabad.

.. Applicant

Versus

1. Union of India through General Manager, N. Rly Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Sr. Divisional Commeercial Supdt., N. Rly Allahabad.
4. Sr. Divisional Perosnnel Officer, N. Rly Allahabad.
5. Sr. Divisional Account Officer, N. Rly Allahabad.

... Respondents

63. Original Application no. 527/92

1. Anil Kumar Srivastava, S/o Sri V.K. Srivastava, r/o Rly Quarter, Subedarganj, Allahabad.
2. Prakash Chandra Pandey, S/o Sri A.P. Pandey, r/o 191/34 Rajroop Pur, Allahabad.
3. Rakesh Pratap Singh, S/o Sri R.P. Singh, R/o vill & P.O. Kotwa Tehsil Phulpur, Distt Allahabad.
4. Bharatji Khare, S/o Sri G.P. Khare, r/o 36-B-Ahiyapur, Allahabad.

... Applicants.

Versus

Boer

// 33 //

1. Union of India through Secretary, Railway Board
Rail Bhawan, New Delhi.
2. General Manager, N. Rly Baroda House, New Delhi.
3. Chief Commercial Supdt. N. Rly Baroda House,
New Delhi.
4. Divisional Railway Manager, N. Rly, DRM Office,
Allahabad.
5. Senior Divisional Commercial Supdt. N. Rly Allahabad.
6. Station Supdt. N. Rly Allahabad.

... Respondents

64. Original Application no. 632/92

1. Malaya Kant, s/o Sri S.K. Srivastava, r/o 328
Baghambari Housing Scheme, Bharadwajpuram, Allahapur,
Allahabad.

... Applicant

Versus

1. Union of India, through General Manager, N. Rly
New Delhi.
2. Divisional Railway Manager, N. Rly, Allahabad.
3. Senior Divisional Commercial Supdt. N. Rly Allahabad.

... Respondents

65. Original Application no. 476/92

1. Shushil Kumar Srivastava, s/o Sri Lakshman Prasad
Srivastava, r/o 155 Bagambari Gr in Kireman Yojna,
Allahapur, Allahabad.

... Applicant.

Versus

1. Union of India through General Manager, N. Railway
Baroda House, New Delhi.
2. Divisional Railway Manager, N. Rly. Allahabad.
3. Sr. Divisional Commercial Supdt., N. Rly Allahabad.
4. Sr. Divisional Personnel Officer, N. Rly Allahabad.
5. Sr. Divisional Accounts Officer, N. Rly Allahabad.

... Respondents - 34

12/8

// 34 //

66 Original Application no. 477/92

1. Arun Kumar, S/o Sri Gyan Chand, r/o 42, Baba Ji ka Daugh, Allahabad.

... Applicant

Versus

1. Union of India through General Manager, N. Rly Baroda House. New Delhi.
2. Divisional Railway Manager, N. Rly Allahabad.
3. Sr. Divisional Commercial Supdt. N. Rly Allahabad.
4. Sr. Divisional Personnel Officer, N. Rly Allahabad.
5. Sr. Divisional Accounts. Officer, N. Rly Allahabad.

... Respondents

67. Original Application no. 221/93

1. Upendra Singh, S/o Sri G. Singh, r/o Tajpur Post Sakaldih, P.S. Sakaldih, Distt. Varanasi.
2. Rajesh Kumar Singh, s/o Sri R.N. Singh, r/o Tajpur Post Sakaldih, P.S. Sakaldih, Distt. Varanasi.

... Applicant

Versus

1. Union of India through General Manager, N. Rly Railway Board, Baroda House. New Delhi.
2. Chief Commercial Supdt. N. Rly Baroda House. New Delhi
3. Divisional Railway Manager, N. Rly Allahabad.
4. Sr. Divisional Commercial Supdt. N. Rly Allahabad.

... Respondents

68. Original Application no. 220/93

1. Sanjay Narain Prasad, S/o Sri R.L. Prasad, r/o 22 Leth no. 1 New Mehal, Mughalsarai.
2. Hari Narain Prasad, s/o Sri R.S. Prasad, r/o vill Nedilpur, Post Cheraon, Distt. Varanasi.

...Applicant

Bcl

// 35 //

Versus

1. Union of India, through General Manager, N. Rly Railway Board, Baroda House. New Delhi.
2. Chief Commercial Supdt., N. Rly Baroda House, New Delhi.
3. Divisional Railway Manager, N. Rly, Allahabad.
4. Sr. Divisional Commercial, Supdt. Northern Railway, Allahabad.

... Respondents

69. Original Application no. 219/93

1. Ram Singh Yadav, S/o Sri R.A. Yadav, r/o Vill. Purabharghai, P.O. Suhansa, Tehsil Patti, Distt. Pratapgarh.
2. Uma Shanker Yadav, S/o Sri R.L. Yadav, r/o vill. Behdaul Khurd, P.O. Gaura, Tehsil Patti, Distt. Pratapgarh.
3. Om Prakash, S/o Sri R. Dular, r/o Vill. Behdaul Khurd, P.O. Gaura, Tehsil Patti. Pratapgarh.
4. Vasudev, S/o K.N. Yadav, r/o Vill. Kudia-ka-pura Tehsil Machchalisahar, Distt. Jaunpur.

... Applicants

Versus

1. Union of India through General Manager, Northern Railway Railway Board, Baroda House.
2. Chief Commercial Supdt. N. Rly, Baroda House. New Delhi.
3. Divisional Railway Manager, N. Rly Allahabad.
4. Sr. Divisional Commercial Supdt. N. Rly, Allahabad.

... Respondents.

70. Original Application no. 197/93

1. Chet Singh, S/o Sri Raj Bahadur Singh, r/o Vill. Inargaon, Post Semraha, Distt. Varanasi.
2. Shiv Kumar, Mishra, S/o Sri R.P. Mishra, r/o Vill Tatihera, Post Deonatti, Distt. Allahabad.
3. Vinod Kumar Singh, s/o Sri C.B. Singh, r/o Vill Raon, Post Semradh, Distt. Varanasi.

4. Rakesh Chandra Tripathi, s/o Sri S.S. Tripathi, r/o vill. Shisakpura, Post Saidabad, Distt. Allahabad.
 5. Shyam Krishan Dwivedi, s/o Sri V. Dwivedi, r/o vill. Topo, Lakshagrah, Distt. Allahabad.
- ... Applicant.

Versus

1. Union of India through General Manager, N. Rly, Railway Bhawan, Baroda House, New Delhi.
2. Chief Commercial Supdt. Baroda House, New Delhi.
3. Divisional Railway Manager, N. Rly Allahabad.
4. Senior Divisional Commercial, Supdt. N. Rly, DM Office, Allahabad.

... Respondents

71 Original Application no. 162/93

1. Prem Shanker, S/o Sri S.H.N. Pandey, r/o 45 Gariwan Tola, Allahabad.
2. Sanjay Kumar, Srivastava, S/o Sri (Late) R.P. Srivastava, r/o 16/11 New Sohbatibagh, Allahabad.
3. Gautam Adhikar, S/o Sri N.N. Adhikari, r/o 695-B Loco Colony Allahabad.
4. Jagdish Prasad Srivastava, s/o Sri (Late) M.P. Srivastava, r/o 97/A, Karbala, Allahabad.
5. Rajendra Saraswat, S/o Sri P.S. Saraswat, r/o 63 Gariwan Tola, Allahabad.
6. Om Prakash Srivastava, S/o Sri P.L. Srivastava, r/o EWS (54) Baghambari Colony 3/3 Allapur Allahabad.
7. Abhilesh Kumar Srivastava, S/o Sri T.N. Srivastava, r/o 545/G Chenshyam Nagar Railway Colony Allahabad.
8. Ashutosh Kumar Srivastava, S/o Sri K.B. Srivastava, r/o 95/11 Sarvodaya Nagar, Allahabad.
9. Manoj Kumar Srivastava, S/o Sri S.S. Srivastava, r/o 95/11 Sarvodaya Nagar, Allahabad.
10. Neeraj Kumar Verma, S/o Sri K.S. Verma, r/o 150/122-A Metiyara Road, Allahabad.

... Applicants.

Versus

1. Union of India through General Manager, N. Rly

Railway Board, Baroda House, New Delhi.

2. Chief Personnel Officer, Northern Railway, Baroda House, New Delhi.
3. Divisional Railway Manager, N. Rly, Allahabad.
4. Senior Divisional Commercial Supdt. N. Rly, Allahabad.

... Respondents

72. Original Application no. 161/93

1. Sheo Kumar Yadav, S/o Sri P.L. Yadav, r/o 164-A Alopibagh, Allahabad.
2. Shailendra Sahai Verma, S/o Sri B.P. Verma, r/o 301/41-A/9E Tilak Nagar, Allahabad.
3. Km. Rajeshwari, D/o Sri Ram Dass, r/o 2/92-A Ramanand Nagar, Allahabad.
4. Sunil Kumar Srivastava, S/o Sri A.N. Srivastava, r/o 127 Matira Road, Allahabad.
5. Rajesh Kumar, S/o Sri S.P.L. Srivastava, r/o B.C.C.L. Srivastava, Sudamadih, Dhanbad.
6. Awadesh Kumar Singh, S/o Sri J. Singh, r/o Surahiya, Post Bansdih, Distt. Ballia.
7. Anjani Kumar Srivastava, s/o Sri V.N. Srivastava, r/o 28-A Krishan Nagar, Allahabad.
8. Karunesh Kumar, S/o Sri T. Nath, r/o 545-G Ghanshyam Nagar, Allahabad.
9. Shyam Prakash Srivastava, s/o Sri P. Lal, r/o EWS 54 Baghambari Colony, Allahabad.
10. Lalit Kumar, s/o Sri Prem Kumar, r/o 16/11 New Sohbatibagh, Allahabad.

... Applicant

Versus

1. Union of India through General Manager, N. Rly Baroda House, New Delhi.
2. Chief Personnel Officer, N. Rly, Baroda House, New Delhi.
3. Divisional Railway Manager, N. Rly, Allahabad.
4. Senior Divisional Commercial Supdt. N. Rly Allahabad.

... Respondents

Bcr

73. Original Application No. 150 of 1993

1. Shri Dhirendra Kumar Mishra, s/o
Shri H.M. Mishra, r/o 23/47/107 E,
Indrapuri Colony, Allahpur,
Allahabad.

.... Applicant

Versus

1. Union of India through Genral
Manager, N. Railway Head Quarters
Office Baroda House, New Delhi.

.... Respondents

O R D E R (RESERVED)

JUSTICE B.C. SAKSENA, V.C

This bunch of 72^{for} cases in all involve almost identical questions of fact and law and reliefs also. O.A. 83 of 1992 is being treated as the leading O.A. The number of days of working varies in each of the O.A and broadly the period of working of the applicants as Volunteer Ticket collectors ranges between 5 to 18 days and that too on the allegations made by the applicants in the month of January 1982.

2. The applicants alleged that they had worked for the period indicated by them in the various O.As, in the month of January 1982 @ Rs.15/- per day. The applicants allege that on the basis of Railway Board's letter dated 6.2.90 they made representation regarding their re-engagement as Volunteer Ticket Collectors since they had worked prior to 17.11.86.

3. Reliance for the claim is based on the decisions of this Tribunal as also the P.B. in a few O.As preferred

...P39

by persons similarly circumstanced. The applicants, therefore, have sought a relief for a direction to the respondents to re-engage the applicants as Volunteer Ticket Collectors or Mobile Booking Clerks as per Extant Rules. They have also in some petitions prayed that a direction be issued to the respondents to take the petitioners on duty and pay back wages from 10.12.90 till the date when they first presented themselves for engagement.

4. The respondents have resisted the petition and have filed a counter affidavit as also a supplementary counter affidavit.

5. The applicants have filed a rejoinder affidavit. The applicants have admittedly not re-engaged after their short stint ranging between 5 to 18 days in the month of January 1982. The Railway Board's circulars dated 6.2.90 is annexed as Annexure A1 to the leading O.A and have also been annexed in ~~xxx~~ some of the O.As. A perusal of the said letter shows that in the light of the judgment dated 26.8.87 of the Central Administrative Tribunal, Principal Bench, New Delhi in O.A. No. 1174 of 1984 (Neera Mehta and Ors Vs. Union of India and Ors) and dismissal of the SLP No. 14613/87 by the Hon'ble Supreme Court on 7.9.89. The Railway Board has decided that the 'cut off' date for being considered for absorption in regular employment against regular vacancies earlier provided to be 14.8.81 will be substituted by 17.11.86 Paragraph 3 of the circular letter is the anchor sheet for the claim in the present O.A which reads as under:-

" In regard to candidates engaged as Mobile Booking Clerks discharged consequent on discontinuance of the scheme by zonal Railways, as a result of ^{Board's} ~~Board's~~ letter dated 17.11.86 or any earlier instruction to the same effect may be re-engaged as Mobile Booking Clerks as and when they approach the Railway Administration in regular employment may be considered after they complete 3 years of service as Mobile Booking Clerks in the same manner as in the case of other Mobile Booking Clerks covered under para 1. "

6. In paragraph 1 attention was invited to Railway Board's letter dated 21.4.82 and the 'cut off date' provided therein was 14.3.81.

7. We have heard the learned counsel for the parties.

8. Shri B.B. Paul, counsel appearing for the respondents raised a preliminary objection that the O.As are barred by time, laches and acquiescence.

9. The learned counsel urged that the applicants have not been engaged after January 1982. He further submitted that the Railway Board's letter dated 6.2.1990 does not govern the applicants who alleged to have worked for a period between 5 to 18 days as Volunteer Ticket Collectors. He further submitted that the applicants were not discharged consequent to discontinuance of the scheme by the zonal Railways as a result of the Board's letter dated 17.11.86. Their discontinuance had taken place four

discontinuation had taken place for

Bcl

...p41

years earlier and not on the basis of the Railway Board's said letter.

10. The respondents have also disputed the correctness of the averment made by the applicants about their having worked for the duration indicated by them in each of the O.As. The applicants in support of their assertion of having worked in the year 1982 for a number of days indicated by them during the 'Kumbh mela' have been annexed, copy of a certificate stated to have been issued by one Ram Das who has given out his designation as ^{Head}/Ticket Collector AKM, N. Rly Allahabad. Copy of such a certificate has been annexed as Annexures A-3 and A-4 to the leading O.A. Shri B.B. Paul submitted that Shri Ram Das was not competent to issue this certificate and the said certificate cannot be treated as proof of the working period of the applicants indicated in the certificates. We, however, feel that it would not be necessary to enter into this controversy for the purposes of deciding the O.As. We, proceed to decide the O.A in the light of the claim based on the provisions of the Railway Board's circular letter dated 6.2.90. We, however, make it clear that we may not be understood to have accepted the claim of the applicants with regard to the days of their working. We may take up the plea of the O.As being barred by limitation. Admittedly, none of the applicants initiated any ^{judicial} ~~civil~~ proceedings in any court to challenge their discontinuance made in January 1982. The Central Administrative Tribunal was constituted in November 1985. These O.As have been preferred in the year 1992.

11. As noted hereinabove, the basis for the claim apart from the provisions of the Railway Board's letter dated 6.2.90 is certain decisions rendered by this Bench

of the Tribunal. The said O.As are O.A. No. 722/90 Rajendra Kumar Srivastava Vs. Union of India and Ors, O.A No. 471/80 Mukesh Kumar Srivastava Vs. Union of India and Ors, O.A. No. 648/91 Madan Mohan Pandey Vs. Union of India and Ors. No doubt, in these cases orders for re-engagement of the applicants therein had been passed. On the material placed in the supplementary affidavit we find subsequently in several other cases decided by this Bench of the Tribunal, a different view was taken when it was pointed out that the Railway Board's circular applied to Mobile Booking clerks and the decision in Neera Mehta's case was in respect to Mobile Booking Clerks. This distinction was noted while allowing a few review petitions in some O.As and in O.A. No. 131/92 Lalji Shukla and Ors, the only direction given was that the respondents may consider and analyse the cases of Mobile Booking Clerks and find out if any scheme can be framed by them laying down a particular criteria for re-engaging them on casual or daily basis. Against this decision, the Railway Authorities preferred an SLP before the Hon. Supreme court and the Hon. Supreme court by an order dated 7.4.94 passed the following order:-

" Delay condoned. The order only gives a direction to the petitioner to find out any scheme can be framed. The Union of India can examine the matter and if it is not possible to frame a scheme, record its finding accordingly. There is no obligation cast by the impugned order that the scheme should be framed in any case subject to the above observations the SLP is disposed of".

~~above observations of the special leave petition is disposed of~~

Subsequently, the Railway Administration considered the possibility of framing a scheme in the light of the directions given in Lalji Shukla's case by the Bench of this Tribunal which was also repeated in some other OAs which came for decision subsequent to the decision in Lalji Shukla's case.

12. The Railway Administration in the supplementary counter affidavit have indicated that they have taken a decision that no scheme can be framed for Volunteer Ticket Collectors for absorption and regularisation in group 'C' category posts since this would militate against the statutory provisions laid down for Recruitment of Ticket Collectors etc as contained in para 127 of Section B of Chapter I of the Indian Railway Establishment Manual 1989 Edition. They have further taken the view that no such posts or vacancies exists on the Railways for Volunteer Ticket Collectors/Mobile Booking Clerks for their re-engagement on casual or daily basis.

13. It was also held that re-engagement will burden the public exchequer and will also enlarge backdoor entry and will affect reservation policy as contained in Article 16(4) of the Constitution of India. It was also held that framing of such a scheme for those Volunteers who have clearly worked for a period of merely for 5 to 18 days will be against public interest as the posts filled up by them are generally by direct recruitment through the Railway Recruitment Board open for general competition and the eligible persons at large would be deprived of their legitimate rights.

1802

14. Admittedly, this scheme has been given up after 17.11.86 and the Railway Administration has for cogent reasons indicated that it was not feasible to draw up a scheme as required in orders passed in various O.A.s

15. Shri B.B. Paul has also invited ~~our~~ our attention to certain decisions in review petitions which were allowed. ~~On the basis of an analogy of the decision by the Principal Bench in 'Neera Mehta's case direction for re-engagement had been passed in the O.A.s. While deciding allowing the review petitions it was noted that the decision in Neera Mehta's case was confined to Mobile Booking Clerks and there is no parity between Mobile Booking Clerks and Volunteer Ticket Collectors. The present applicants fall in the later category.~~

16. Quite a large number of decisions have been rendered from time to time and the view taken in the earlier decisions have been washed down or even not accepted in later decisions and a direction to draw up a scheme was only provided as in Lalji Shukla's case (Supra), which was followed in many other subsequent decisions. The turns and twists which have taken place in the view expressed on the question have been referred to show that the decisions of this Bench of the Tribunal on the basis of which the applicants ^{are} claiming similar benefit being extended to them do not hold the field.

17. We may now take up for consideration the plea of benefit of the the applicants that the decisions in some O.As in favour of similarly situated persons may be extended to the applicants. It is now fairly well settled that the judgment of the Tribunal

for that matter of any court does not give rise to a cause of action. It is the orders of the authority concerned or their inaction which give rise to the grievance and the cause of action based upon this has to be considered for purposes of determining whether the petition is barred by time under the provisions of Sec. 21 of the Administrative Tribunals Act.

18. As was noted by the Madras Bench of the Central Administrative Tribunal in a decision reported in (1994) 28 ATC pg. 20 'Tamil Nadu Divisional Accountants Association and Ors. Vs. Union of India and Ors', this position of law has been clearly affirmed in the judgment of the Supreme court in 'Bhoop Singh Vs. Union of India and Ors. (1992) 21ATC page 675. Before the Madras Bench the question of delay was raised and it held that since the delay has not been satisfactorily explained the O.A was rejected on the ground of limitation alone. In that case an order adverse to the applicants was passed on 14.10.86. A decision on a similar order was rendered by the Chandigarh Bench of the Tribunal on 1.5.91. There after the applicants Association moved in the matter and made a representation. 5 years delay was held as fatal.

19. A Full Bench of the Ernakulam Bench of the Tribunal in a decision reported in (1994) 28 ATC 177 has also taken the view that decisions in similar cases cannot give a fresh cause of action and the period must be counted from the date the claim relates.

20. The Hon'ble Supreme Court in 'Bhoop Singh Vs. Union of India and Ors (Supra) had inter alia, held that "inordinate and unexplained delay and laches by itself ^{is} a good ground to refuse relief to the petitioner irrespective of the merit of his claim. It was also observed that Art. 14 or the principle of non-discrimination is equitable principle. Therefore, any relief claimed on that basis must itself be founded on equity and not be alien to that concept".

21. We may also refer to a relevant observation made in a recent decision of Hon. Supreme Court in 'Natan Chandra Samant and Ors. Vs. Union of India and Ors reported in 1994 S.C.C(L&S) page 182. The petitioners before the Supreme Court in that case were casual labourers of south eastern Railway. They were alleged to have been appointed between 1964-69 and represented between 1975-78. They, through their petition sought a direction to be issued to the opp. parties to include their names in Live Casual Labourers Register after due screening and to give them re-employment according to their seniority. The basis for the claim amongst others ~~and~~ was a few judgments rendered by the Apex court in 1985 and 1987 directing the Railway Authorities to prepare a scheme and to absorb the casual labourers in accordance with their seniority. The petitioners appeared to have made a representation in 1990 to the Authorities in which it was alleged that they are not following the orders of the Supreme court, High court of Calcutta and Calcutta Bench of the C.A.T. In the facts of the said case the Hon. Supreme Court, took the view that since no explanation has been given as to why the petitioners did not approach till 1990 held that two questions arise;

(i) whether the petitioners^{are} entitled as a matter of right to reemployment.

(ii) whether they have lost their right, if any, due to delay.

22. While dealing with the said question the following observation was made :-

" Delay itself deprives a person of his remedy available in law. In absence of any fresh cause of action or any legislation a person who has lost his remedy by lapse of time loses his right as well".

23. A Full Bench of the Tribunal (PB), while deciding O.As 767 and 842 of 1989 made the following relevant observation:-

" It is not open to court of record to pass an order in respect of persons who are not even present before it by any application or petition. In this view of the matter the view taken in the case of one or more employee by a judicial forum cannot be ~~if~~ ⁱⁿ so facto made applicable to all other employees in the same cadre, rank or situation by another judicial forum."

This observation also supports the view taken hereinabove that the judgment in a case does not give a cause of action to another employee, ^{who} claims to be similarly circumstanced as the applicant in other case earlier decided.

Boh

24. Shri B.B. Paul, learned counsel appearing for the respondents have invited our attention to a decision rendered by the Principal Bench in 'Ashish Chakraborty Vs. Union of India and Ors, reported in 1994(1) ATJ 382. In the said case the facts are almost identical as in the case in hand. The applicant alleged that he was engaged as Mobile Booking Clerk from 1.6.85 to 15.7.85 and had not been engaged thereafter. He made a representation stating that he has worked for 32 days in 1985 and in view of the circular of the Railway Board dated 31.5.92 he be also considered for absorption as Mobile Booking Clerk. The applicant's representation was rejected and he was informed that he cannot be absorbed in terms of the letter dated 12.8.92. In the said case the applicant based his claim on the basis of a decision of the P.B. in a similar bunch of the cases. The Division Bench took the view that there is no parity or similarity between the applicants case and the applicants in the bunch of cases decided earlier. It was held that since the service of the applicant was not discontinued as a result of Railway Board's letter dated 17.11.86, the applicant's case was ~~not~~ not covered by para 3 of the Railway Board's letter dated 6.2.90. Since he was not discharged consequent upon discontinuance of the scheme by the zonal Railway as a result of letter dated 17.11.86. The same situation obtains herein also and we have already held accordingly.

25. In the said case, referring to the decision of the Supreme court in 'Bhoop Singh Vs. Union of India and Ors (Supra), the question of delay was also

Bcl

considered and it was held that the petition was barred by limitation, The cause of action having accrued ~~in~~ in July 1985. The said O.A was filed sometime in the year 1993.

26. The learned counsel for the respondents also invited our attention to another decision rendered by the same Division Bench of the Principal Bench in 'Anil Babu Sharma Vs. Union of India and Ors reported in 1994(1) ATJ pg-84.

27. The petitions before us are clearly barred by limitation as provided in Sec. 21 of the Administrative Tribunals Act. The provisions of the Railway Board's letter dated 6.2.90 is not attracted and applicable to the applicants.

28. Admittedly, the scheme hasx been given up since after 17.11.86 and is no longer in force. This fact cannot be lost sight of. The applicants therefore, cannot be granted ^{the} relief prayed for by them. The applicants also raised a plea that one Shri R.N. Shorey and 12 Others Volunteer Ticket Collectors have been included in the approved list of 1982. It is, therefore, pleaded that the respondents have been given re-engagement to some Volunteers as Volunteer Ticket Collectors on Pick and Choose basis.

29. In the counter affidavit, it has been indicated that the 12 persons named in para 4.1C of the leading O.A had been re-engaged as Mobile Booking Clerks and not as Volunteer Ticket Collectors. The allegation, therefore, has been denied. Be that as it may, the applicants would be entitled to the relief claimed by them only if it is based on any statutory provision. The act of the respondents in re-engaging a few which has been satisfactorily

:: 50 ::

explained will not give rise to discriminatory treatment. The applicants in effect are seeking re-engagement on the strength of having worked for a period ranging between 5 to 18 days, which also is doubtful, and has been disputed by the respondents.

31. In view of the discussion hereinabove, on a totality of the circumstances we are not persuaded to grant the reliefs claimed for by the applicants. The O.As lack merit and are accordingly dismissed. No order as to costs.

32. The copy of the judgment shall be placed on each of the O.As which have been decided by this common judgment.

(K. MUTHUKUMAR)
MEMBER(A)

(B.C. SAKSENA)
VICE CHAIRMAN

DATED: DECEMBER. 19. 1994

/Uv/