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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 9th day of February, 2001

Original Application No. 125 of 1994

CORAM :-

Hon'ble Mr. Justice RRK Trivedi, V.C.

Hon'ble Mr. M.P. Singh, A.M.

Smt. Parwati W/O Late Ram Sanahi,  
Resident of Mahurari, Post-Badausa,  
Tahsil Atarra Distt-Banda, (previously  
working as Chhaukidar, -cum-Gangman,  
P.W.I. Banda, district-Banda).  
(Sri V.S. Chauhan, Advocate)

. . . . . Applicant

Versus

1. Union of India through its General Manager,  
Central Railway, Bombay, V.T. Bombay.
2. D.R.M. Central Railway, Jhansi.
3. DEN Central Railway, Jhansi.
4. Asst. Engineer, Central Railway,  
Chitrakutt, Banda Railpath Mandhal, Abhiyanta,  
Chitrakutt Dham, Karvi, Banda.

(Sri Prashant Mathur, Advocate)

. . . . . Respondents

O R D E R (O\_r\_a\_l)

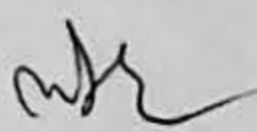
By Hon'ble Mr. Justice RRK Trivedi, V.C.

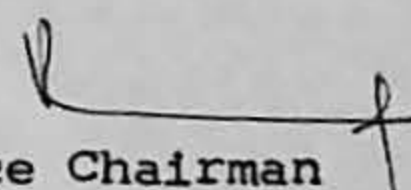
By this application the applicant has prayed for arrears of salary payable for the period 18-7-1989 to 18-2-1992. It has been further prayed that other allowance and benefits admissible to the applicant during the aforesaid period may also be granted.

2. The facts giving rise to this application are that the <sup>original</sup> applicant Ram Kishore was appointed as a Gangman. While discharging duties, he received injuries on

18-7-1989. He was sent to Jhansi for special treatment. He was further referred to Bombay for treatment. The Bombay Hospital declared him medically fit for service in C-I Category. After screening, the applicant was appointed Workman-cum-Chowkidar vide order dated 13-1-1992. The applicant, however, died on 26-9-1994 during pendency of this OA. After his death his wife Smt. Parwati has been brought on record. Counter affidavit has been filed by the respondents but there is nothing to show that any amount was paid to the applicant for the period in question i.e. 18-7-1989 to 18-2-1992, Though the applicant under rules would have been entitled for salary during this period also, which has not been paid to him. <sup>as</sup> It is not claimed in the counter affidavit that any amount was paid to him.

3. In the circumstances, the application is allowed, and disposed of with the direction to the respondents to pay arrears of salary to the applicant admissible under rules for the period, by regularising the period as leave from 18-7-1989 to 18-2-1992. The amount due shall be paid to his widow within three months from the date a copy of the order is filed. There shall be no order as to costs.

  
Member (A)

  
Vice Chairman

Dube/