

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO. 920/2002

TUESDAY, THIS THE 10TH DAY OF SEPTEMBER, 2002

HON'BLE M&J GEN K. K. SRIVASTAVA . . . MEMBER (A)
HON'BLE MR. A. K. BHATNAGAR . . . MEMBER (J)

1. Smt Chandrawati Devi,
wife of Shri P.N. Gupta.
2. Smt. Alka Bhatia wife of
Prakash Bhatia,
both residents of 10A/2,
Northern Railway, Diesel Colony,
Mugalsarai, District.Chandauli. . . Applicants

(By Advocate Shri A.K. Yadav)

Versus

1. The Union of India,
through the General Manager (P)
Headquarters Office, Baroda House,
New Delhi.
2. The Divisional Rail Manager (Karmik),
Northern Railway,
Hazratganj, Lucknow.
3. The Headmaster,
Primary School (NR),
Diesel Colony, Mogalsarai,
Chandauli. Respondents

(By Advocate Shri A.K. Gaur)

O R D E R

BY HON'BLE M&J GEN K. K. SRIVASTAVA, MEMBER (A)

This O.A. has been filed under Section 19 of
Administrative Tribunals Act. The applicants have
prayed that a direction be issued to the respondents
to regularise the applicants on their respective
posts with all consequential benefits. They have
also prayed for a direction to the respondents to
pay salary to the applicants since 01.07.01 alongwith
interest at the rate of 8%.

2. The facts in brief giving rise to the O.A. are
that the applicant No.1 was appointed as Primary

Teacher on 12.09.1987 at Primary School, Diesel Colony Mogalsarai. The applicant No.2 was appointed on 01.08.1989 as Primary Teacher, and was ⁱⁿ ⁱⁿ even continuously working since then. Two posts of Assistant Teachers were created by order dated 23.04.97 and the applicants were appointed as substitutes in the pay scale of Rs. 4500-7000/- by order dated 20.01.98, for a period of six months. Their services were extended from time to time. The Assistant Mechanical Engineer ⁱⁿ ⁱⁿ addressed to appraised Divisional Railway Manager (Karmik), Northern Railway, Lucknow on 01.05.01 for approving the further extension of services of the applicants from 01.07.01 to 31.12.01. It appears that no approval has been received from Divisional Railway Manager of Northern Railway approving the extension of the applicants.

3. The ⁱⁿ ⁱⁿ learned counsel for the applicant has submitted that the applicants are still working as Primary Teachers but their salary has been withheld by the respondents since 01.07.01. The applicant no.2 filed a representation before Divisional Railway, Manager on 12.12.01 followed by another representation dated 12.02.02.

4. However, we do not find any representation from applicant No.1 on record. In our opinion, the end of justice would meet by giving liberty to the applicants ⁱⁿ ⁱⁿ to file a fresh representation before respondent No.2 alongwith the order of this Tribunal within two weeks and the same ⁱⁿ ⁱⁿ shall be decided by the respondent No.2 within two months. The O.A. is disposed of accordingly.

5. There shall be no order as to costs.


Member-J


Member-A

/Neelam/