

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH: ALLAHABAD**

ORIGINAL APPLICATION NO. 1037 OF 2002

ALLAHABAD THIS THE 12th DAY OF APRIL 2006.

HON'BLE MR. K.B.S. RAJAN, J.M.

Gulzari Lal, S/o Sri Bihari Lal, R/o 156
SU Road, Nagariya Pariks-hit, Air Force
Gate, Izatnagar, Bareilly.

..... .Applicant.

(By Advocate Shri A.S. Diwakar (Absent)

Versus

1. Union of India through General Manager, N.E.R., Gorakhpur.
2. Chief Workshop Manager (Personnel), N.E.R., Izatnagar, Bareilly.

..... .Respondents.

(By Advocate Shri K.P. Singh)

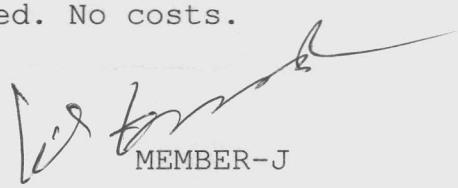
O R D E R

The applicant is aggrieved by the withholding of Railway Passes to him and the reasons for such withholding of passes are given in the impugned order dated 28.4.2002, which states that as the applicant was in unauthorized occupation of Railway accommodation from 1.7.1985 to 29.11.1999, he is liable to forfeit at the rate of one set of Railway Pass per every month of default of over-stay. The above stipulation has been made as a rule w.e.f.

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18.11.1999 vide order-dated 18.11.1999

(Annexure 02 to the CA). Thus, when the Rule came into existence, the applicant was in unauthorized occupation of the Railway Accommodation. The applicant has not challenged the above Rule much less prayed for quashing of the said order dated 18.11.1999. The department's action in withholding of railway passes being in accordance with the Rules and the applicant not challenging the Rules, he is not entitled to the relief(s) claimed. The O.A. is, therefore, dismissed. No costs.



MEMBER-J

GIRISH/-