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Open Court

**Central Administrative Tribunal Allahabad Bench
Allahabad.**

Allahabad This The 4th Day Of November, 2008.

ORIGINAL APPLICATION NO. 720 OF 2006.

Present:

Hon'ble Mr. Justice A.K. Yog, Member (J)

Jugul Kishor, aged about 40 years, S/o Munna Lal, R/o House No. 480, Behind Ramchera Baba Mandir Seepari Bazar, Jhansi.

.....Applicant

By Advocate: Ms. Alrafeo Basheer.

Versus

1. Union of India through General Manager, North Central Railway, Allahabad
2. Divisional Railway Manager, North Central Railway, Jhansi
3. Permanent Way Inspector, North Central Railway, Lalitpur.

.....Respondents

By Advocate: Shri P Mathur

O R D E R

Learned counsel for the parties agree that this O.A. may be decided on the same terms and conditions as contained in order dated 1.2.2006 in O.A. NO. 163/04. This O.A. is, therefore, decided on the same terms and condition as contained in the Tribunal's final order dated 1.2.2006 passed in O.A. NO. 163/2004 (Jugal Kishore and others Vs. Union of India and others).

(Mr)

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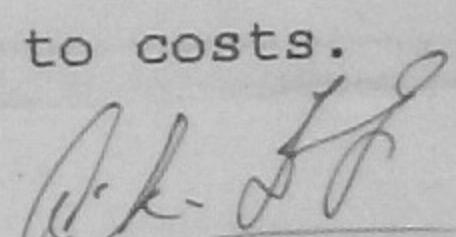
2. The impugned order in the present O.A. 23.5.2006 (Annexure 1 to the O.A.) is hereby set aside with a direction to the applicant to file certified copy of this order to enable the Competent concerned Authority to decide the claim of the applicant in the light of order passed in O.A. No.723/06. Relevant extract of paras 6 and 7 of the said final order are reproduced:

"6. In the ends of justice, keeping in view earlier Tribunal's order dated 1.2.2006 in O.A. NO. 163 of 2004 (supra) impugned order dated 23.5.2006 is set aside with a direction to the Competent Authority to consider the case of the applicant in the light of the direction contained in the Tribunal's order dated 1.2.2006 passed in O.A NO. 163/04- Jugal Kishor and others Vs. Union of India and others.

7. O.A. stands allowed to the extent indicated above. Applicant is directed to submit certified copy of this order within six weeks before concerned authority for deciding the case within 3 months from the date of receipt of certified copy of this order (as indicated above) in accordance with law"

3. O.A. stands allowed to the extent indicated above.

4. There shall be no order as to costs.



Member (J)