

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD**

Original Application No.833 of 2009

Allahabad, this the 3<sup>rd</sup> day of August, 2009

Hon'ble Mr. A.K. Gaur, Member-J  
Hon'ble Mr. D.C. Lakha, Member-A

Hardwari Lal, aged about 55 years, Son of Late Ram Swaroop, Resident of Qr. No.T-73/E, Loco Shed, Railway colony, Moradabad.

...Applicant.

By Advocate : Shri T.S. Pandey

**V E R S U S**

1. The Union of India through the General Manager, Northern Railway, Headquarters Office, Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway, Moradabad Division, Moradabad.
3. The Senior Divisional Personnel Officer, Northern Railway, Moradabad Division, Moradabad.

...Respondents.

By Advocate : Shri A. Tripathi

**O R D E R**

By Hon'ble Mr. A.K. Gaur, Member-J :

We have heard Shri T.S. Pandey, learned counsel for the applicant and Shri A. Tripathi, learned counsel for the respondents.

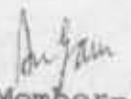
2. Learned counsel for the applicant submitted that the applicant had preferred a representation before the competent authority for considering the period from 8.8.2002 to 18.11.2003 for regularization against LAP/SAP for being treated as duty. Learned counsel for the

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applicant would further contend that his representation dated 13.12.2004 may be considered in the light of Railway Board's Circular dated 15.11.1985 (PS No.8859). Learned counsel for the applicant would contend that in a similar and identical matter, in Shri Keshav Bhattacharya's case the aforesaid circular was considered and benefit was extended to him by the competent authority. He wants similar benefits to be given to the applicant also.

3. Having heard the parties counsel, we hereby direct the respondent No.3 i.e. Senior Divisional Personnel Officer, Northern Railway, Moradabad to consider and decide the pending representation dated 13.12.2004 of the applicant taking into account the Railway Board Circular dated 15.11.1985 PS 8859, within a period of three months from the date of receipt of copy of this order.

4. With the above directions, the OA is disposed of. No costs.

  
Member A  
Member J

RKM/