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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHBAD BENCH
ALLAHABAD

Dated: this the 08th day of August 2008

Original Application No.1261 of 2007

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

1. Yogesh Kumar, S/o Sri Raghubir Singh
2. Yatendra Kumar, S/o Sri Gopal Singh Yadav
3. Arbindra Kumar, S/o Sri Jagdish Prasad
4. Jitendra Kumar, S/o Sri Gopal Singh
5. Shomvir Singh, S/o Sri Bhuri Singh
6. Dharmvir Singh, S/o Sri Silahi Singh
7. Om Prakash, S/o Sri Ramadhar Rawat
8. Netra Pal Singh, S/o Sri K.P. Singh
9. Gajendra Singh, S/o Sri Baital Singh
10. Niraj Basist, S/o Sri S.C. Sharma
11. Dhani Ram Verma, S/o Sri H.L. Verma
12. Dinesh Kumar, S/o Sri Jagat Singh
13. Devendra Kumar, S/o Sri Mahesh Babu
14. Dharmendra Singh, S/o Sri Bal Krishna
15. Kuldeep Kumar Singh, S/o Sri Shrikrishna
16. Brijesh Yadav, S/o Sri Srichandra Yadav
17. Rajesh Kumar, S/o Sri M.P. Singh
18. Ashok Singh, S/o Sri Ram Autar Singh
19. Rajkishor, S/o Sri Siyaram
20. Ram Asare, S/o Sri Ramcharan
21. Atar Singh, S/o Sri Pitember Singh
22. Kauselendra Kumar, S/o Sri Udaibir Singh

...Applicants

By Adv : Shri B.R. Yadav

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V E R S U S

1. The General Manager, North Central Railway, Allahabad.
2. The Divisional Railway Manager, North Central Railway, Allahabad.
3. The Divisional Personnel Officer, North Central Railway, Allahabad.

By Adv : Shri A.C. Mishra

...Respondents.

O R D E R

Heard Shri V. Kumar brief holder of Sri B.R. Yadav learned counsel for the applicants. Shri A.C. Mishra learned counsel for the respondents.

2. Sri V. Kumar stated at the very threshold that this case is squarely covered by the judgment in OA No. 506/07 : Ramesh Kumar Vs. Union of India and others.

3. Sri A.C. Mishra learned counsel for the respondents submitted that this case does not relates to coolie and the aforesaid judgment may not be applicable in this case.

4. Having heard parties counsel I am of the considered opinion that the case of the applicants might be redressed, if a direction is given to the competent authority to consider and decide the case of the applicant taking into account the ratio of the decision rendered in OA 506/07 : Ramesh Kumar Vs. Union of India and others, and if the fact and point

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of law involved in that case is similar and identical to the present case, the same benefit may be extended to the applicants of this case also, within a period of three months from the date of communication of a certified copy of this order. Accordingly, I hereby direct the respondents to consider and decide the case of the applicant taking into account the ~~Judgment~~ rendered by this Tribunal in Original Application No. 507 of 2007 Ramesh Kumar Vs. Union of India and others within a period of three months from the date of receipt of a copy of this order and extend the similar benefits in accordance with rule.

5. In view of the aforesaid observation the OA is disposed of. No cost.

/pc/

M. Gan
Member (J)