

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD**

(THIS THE 27th DAY OF August 2009)

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

Original Application No.431 of 2007
(U/S 19, Administrative Tribunal Act, 1985)

1. Radhey Shyam Son of Shri Ram Vilash aged about 50 years working as Storeman under SSE/Works/N.C. Railway, Naini, Resident of House No.83 E/23-Beniganj, Allahabad.
2. Ram Khelawan Gupta Son of Shri Mahadeo Prasad Ex-Storeman Resident of Village Vaadpur-Nedua, Post-Nehwai, District Allahabad.

..... **Applicants**

Versus

1. Union of India through, General Manager, N.C. Railway, Headquarters Office, Allahabad.
2. General Manager, N.C. Railways, Headquarters Office, Allahabad.
3. Divisional Railway Manager, N.C. Railway, Allahabad.
4. Sr. DEN (Co-ord), North Central Railway, Allahabad.
5. Secretary (Estt.), Railway Board, Rail Bhavan, New Delhi.

..... **Respondents**

Present for Applicants : Shri S.Ram
Shri A. Kumar

Present for Respondents : Shri P. Mathur

ORDER

(Delivered by Hon'ble Mr. A.K. Gaur, J.M.)

We have heard Sri Sudama Ram learned counsel for the applicants and Shri P. Mathur, learned counsel for the respondents.

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2. At the very out set learned counsel for the applicants stated that this case is squarely covered by the decisions rendered by this Tribunal in O.A. No.06 of 2007 (Changu Lal Vs. Union of India and Ors). Learned counsel for the applicants further submitted that in view of the decision rendered by 5 Judges Bench of Hon'ble Supreme Court reported in **JT 1997 (7) SC-58 K.C. Sharma Vs. Union of India & Ors.** The controvert involved in the present case is squarely covered by the decision rendered in O.A. No.06 of 2007 and the similar benefit may also be extended to the applicants as he is similarly identical situated persons.

3. Having heard parties counsel, we have given our anxious thought to the pleas advanced by the parties counsel. We hereby direct the applicants to prefer a detail representation annexing copy of judgment in O.A. No.06 of 2007 decided on 17.12.2008 within a period of two weeks from the date of receipt of copy of this order. If such representation is received by the Competent Authority within stipulated period of time, the same shall be considered and decided by a reasoned and speaking order and grant the similar benefit to the applicants.

4. With the aforesaid observations the O.A. is disposed of. No costs.


Member-A


Member-J

/Sushil/