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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH AT JODHPUR**

Original Application No.128/2010

Date of decision: 12.09.2012

CORAM

HON'BLE MR. G. GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE MR. B.K.SINHA, ADMINISTRATIVE MEMBER

- (1) Poonam Chand S/o Shri Bhanwar Lal, aged about 50 years, working on the post of Senior Khalasi under Inspector of works, NWR, Bikaner.
 - (2) Chandan S/o Shri Mungey Khan, aged about 53 years, working on the post of Khalasi under Inspector of works, NWR, Bikaner.
 - (3) Peera Ram S/o Shri Akoora Ram, aged about 50 years, working on the post of Senior Khalasi under Inspector of works, NWR, Bikaner.
 - (4) Kishan Lal S/o Shri Ram Lal, aged about 54 years, working on the post of Senior Khalasi under Inspector of works, NWR, Bikaner.
 - (5) Mohd Rafi S/o Shri Hazi Mod., aged about 54 years, working on the post of Senior Khalasi under Inspector of works, NWR, Bikaner.
 - (6) Baxi Lal S/o Shri Rewa Ram, aged about 55 years, working on the post of Senior Khalasi under Inspector of works, NWR, Bikaner.
 - (7) Adhu Ram S/o Shri Sugna Ram, aged about 55 years, working on the post of Senior Khalasi under Inspector of works, NWR, Bikaner.
 - (8) Mohd. Nisar S/o Shafi Mohd., aged about 53 years, working on the post of Senior Khalasi under Inspector of works, NWR, Bikaner.
 - (9) Gopi Chand S/o Shri Pema Ram, aged about 50 years, working on the post of Senior Khalasi under Inspector of works, NWR, Bikaner.
 - (10) Gauri Shankar S/o Shri Maga Ram, aged about 50 years, working on the post of Senior Khalasi under Inspector of works, NWR, Bikaner.
 - (11) Smt. Sita Devi W/o Shri Babu Lal, aged about 45 years, working on the post of Khalasi under Inspector of works, NWR, Bikaner.
 - (12) Smt. Gayatri Devi W/o Shri Gallodeen, aged about 44 years, working on the post of Khalasi under Inspector of works, NWR, Bikaner.
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- (13) Paras Ram S/o Shri Bheru Ram, aged about 50 years, working on the post of Senior Khalasi under Inspector of works, NWR, Bikaner.
- (14) Kuda Ram S/o Shri Jora Ram, aged about 45 years, working on the post of Senior Khalasi under Inspector of works, NWR, Bikaner.

At presently all the applicants are resident C/o Poonam Chand, Near Pathanon ka Mohalla, Old Electric Department, Railway Line, Bikaner (Raj.).

.....Applicants

(By Advocate Mr. S.K.Malik).

Vs.

1. The Union of India through the General Manager, North Western Railway, Jaipur.
2. The Divisional Personnel Officer, North Western Railway, Bikaner (Raj.).
3. The Assistant Engineer, North Western Railway, Bikaner.

...Respondents

(By Advocate Mr. Manoj Bhandari through Mr. Aditiya Singhi)

ORDER

Per : Hon'ble Mr. G.George Paracken, Judicial Member

This original application has been filed by the applicants for seeking the following reliefs:

- (i) by an appropriate writ, order or direction, impugned order dated 19.04.2010 at Annex.A/1 be declared illegal qua to the applicants and be quashed and set aside. As if the same was not issued against the applicant.
- (ii) by an order or direction, respondents may be directed to keep the applicant on the cadre of Khalasi / Senior Khalasi till retirement.
- (iii) Exemplary cost for causing undue harassment to the applicant be passed in favour of applicant and against the respondents.
- (iv) by an order or direction applicants may be allowed to file joint application.
- (v) Any other relief which is found just and proper in the fact and circumstances of the case be passed in favour of the applicants in the interest of justice."

2. The respondents have filed their reply, after serving an advance copy of the same to the applicants and it is on record.

3. Today, when the matter was taken up for consideration, the learned counsel for the respondents has also produced a copy of the

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letter No.CLA/BKN/Misc./PCDO/10-Lit dated 28.05.2012 of the Divisional Railway Manager (Lit), N.W. Railway, Bikaner Division stating that respondents have decided to not contest their case but to grant the aforesaid reliefs.

4. In view of the aforesaid decisions of the respondents, the learned counsel for the applicants has sought permission to withdraw the OA.

5. Accordingly, this OA is disposed of. However, the respondents shall pass a reasoned and speaking order granting the aforesaid reliefs to the applicants within a period of two months from the date of receipt of a copy of this order. No order as to costs.


[BK Sinha]
Administrative Member


[G. George Paracken]
Judicial Member