

CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

OA No. 141/2010

Jodhpur this the 19th day of September, 2013.

CORAM

**Hon'ble Mr. Justice Kailash Chandra Joshi, Member (J) and
Hon'ble Ms. Meenakshi Hooja, Member (A)**

1. Lala Ram S/o Pema Ram Ji, aged 53 years, R/o Rampura Basti, Street No. 5, Lalgarh, Bikaner. At present working as Khalasi under I.O.W. (Works), North Western Railway, Lalgarh, Bikaner.
2. Lal Mohammad S/o Ieed Mohammadji, Aged 50 years, R/o Quarter No. L36C, Behind old loco colony, Lalgarh, Bikaner. At present working as Khalasi under I.O.W. (Works), North Western Railway, Lalgarh, Bikaner.
3. Kailash Singh S/o Hari Singh Ji, Aged 50 years, R/o Quarter No. 296 A, Old Railway Colony, Lalgarh, Bikaner. At present working as Khalasi under I.O.W. (Works), North Western Railway, Lalgarh, Bikaner.
4. Smt. Parvati W/o Late Sh. Kumba Ram Ji, Aged 51 years, R/o Old Railway Colony, Lalgarh, Bikaner. At present working as Khalasi under I.O.W. (Works), North Western Railway, Lalgarh, Bikaner.
5. Ram Singh S/o Bhullan Ji, aged 50 years, R/o Rampura Basti, Street No. 5, Lalgarh, Bikaner. At present working as Khalasi under I.O.W. (Works), North Western Railway, Lalgarh, Bikaner.
6. Bhanwar Lal S/o Chottu Ram Ji, Aged 54 years, R/o Jansar Railway Station, Lalgarh, Bikaner. At present working as Khalasi under I.O.W. (Works), North Western Railway, Lalgarh, Bikaner.
7. Smt Parvati W/o Ram Sahay Ji, Aged 50 years, R/o 54 C, Old Railway Colony, Lalgarh, Bikaner. At present working as Khalasi under I.O.W. (Works), North Western Railway, Lalgarh, Bikaner.

.....Applicants

(Through Advocate Mr Nitin Trivedi)

Versus

1. The Union of India through the General Manager, North Western Railway, Head Quarter Office, Jaipur.
2. The Divisional Personnel Officer, North Western Railway, D.R.M. Office, Bikaner.

3. The Assistant Engineer, North Western Railway, Bikaner.

(Through Advocate Mr Aditya Singhi with Mr Manoj Bhandari)

..... Respondents

ORDER (Oral)

Per Justice Kailash Chandra Joshi, Member (J)

The original application has been filed by the applicants for seeking following relief(s):

- (A) "An appropriate order or direction may kindly be issued in favour of the applicants and the Order dated 19.04.2010 (Annex. A/1) so far as it relates to declaration the applicants as surplus and further to directing for redeployment may kindly be quashed and set aside and accordingly the respondents be directed to allow the applicants to perform the duties as Khallasies/Senior Khallasies at the present posting place, with all consequential benefits.
- (B) Any other order or direction, which this Hon'ble Tribunal deems fit and proper in the facts and circumstances of the case, may kindly be passed in favour of the applicant.
- (C) The cost of the O.A. may kindly be awarded in favour of the applicant.
- (D) Applicants may be permitted to file joint application."

2. The respondents have contested this application by way of filing reply.

3. Heard counsel for both the parties and perused the material available on record. During the course of arguments, counsel for the applicant submitted that this case is squarely covered by the order dated 12.09.2012 passed in O.A. No. 128/2010 by this Tribunal. He further stated that in the present case, the speaking order in respect of the applicants has not been passed by the respondent-department as has been passed in the case of similarly situated persons/applicants of OA No. O.A. No. 128/2010.

4. Looking to the facts and circumstances of the case, we are of the view that respondents ought to give similar treatment to the similarly situated persons like present applicants and therefore, the present OA is disposed of with the direction to the respondents to pass speaking order as has been passed in the case of similarly situated persons who have filed OA No. 128/2010. No order as to costs.


(MEENAKSHI HOOJA)
ADMINISTRATIVE MEMBER


(JUSTICE K.C. JOSHI)
JUDICIAL MEMBER

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