

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH

**LUCKNOW
ORIGINAL APPLICATION NO: 535/2005**

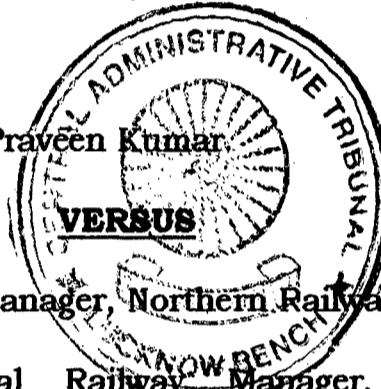
THIS THE 13th DAY OF FEBRUARY 2006

HON'BLE SHRI J.S. DHALIWAL MEMBER (J)

Chhattraj, aged about 49 years, son of Shri Bachai, resident of – C/O-Section Engineer(Works), Northern Railway, Charbagh, Lucknow.

Applicant.

By Advocate: Shri Praveen Kumar.



1. The General Manager, Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway, Hazratganj, Lucknow.
3. The Divisional Superintending Engineer (Coordination), Northern Railway, Lucknow.

Respondents

BY Advocate: Shri S.P. Singh for Shri S. Lavania.

ORDER(ORAL)

BY HON'BLE SHRI J.S. DHALIWAL MEMBER(J)

Respondents have not filed C.A. despite time given for this purpose since November 2005. Today learned counsel for applicant has brought to the notice to the Bench copy of the order dated 13th of July, 2005 passed in O.A. 151/2005 in the case of Shri Shiv Prasad and Others Versus Union of India and Others. It is mentioned by the learned counsel for the parties that the matter in the present case is identical and applicant would be satisfied if similar directions are given in this O.A. as well.

2. On perusal of the pleadings, it is noticed that applicant claims payment of salary by treating him on duties on the post of Khallasi for the period 28th July 2000 till the date of his joining on

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(2)

the grounds that he was prevented from discharging his duties on the said post with further direction to make payment of duty pay deducting pay already paid up to 14.8.2000 along with interest. He has also prayed for extension of the benefits of judgment in the case of Dwarika Prasad and Others Versus Union of India and Others.

3. Considering such pleadings and the statement of the learned counsel, declining time for filing of C.A., this O.A. is disposed of with direction to the respondents to decide pending representation of applicant on such relief as claimed in the O.A. copy of which is Annexure A-4 within a period of two months by reasoned and speaking order keeping in view the judgment in the case of Dwarika Prasad (Supra) in O.A. 407/2002. They shall intimate the order in writing to the applicant.

4. The Original Application is disposed of with the above directions. No costs.


(J.S. Djaliwal)
Member(J)