

**CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH
LUCKNOW**

ORIGINAL APPLICATION NO: 584 OF 2005

THIS THE 19TH DAY OF DECEMBER 2005
**HON'BLE SHRI JUSTICE M.A. KHAN, VICE CHAIRMAN
HON'BLE SHRI S.P. ARYA MEMBER (A)**

Indresh Prashad Yadav, aged about 33 years, Son of Sri Ram Kewal Yadav, resident of Village Natwabar Post Babhnauli District Sant Kabir Nagar, working as Khalasi (Class-IV) Post. T.No. 0G-284 office of the Deputy Chief Mechanical Engineer, Northern Railway, Loco Workshop, Charbagh, Lucknow.

Applicant.

By Advocate: Shri R.L. Mishra.

VERSUS

1. Union of India, through Secretary to Government Railway Department (N.R.), Central Secretariat, New-Delhi.
2. Senior General Manager (N.R.), Baroda House, New -Delhi.
3. Deputy Chiefk Mechanaical Engineer, Northern Railway, Loco Workshop, Charbagh, Lucknow.
4. Assistant Works Manager (K) Northern Railway, Loco Workshop Charbagh,Lucknow.

Respondents.

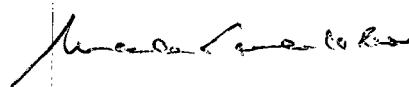
BY Advocate: Shri Bhupendra Singh for Shri N.K. Agarwal.

ORDER(ORAL)

BY HON'BLE SHRI JUSTICE M.A. KHAN, V.C.

M.P. No. 3158/2005 has been filed for condonation of delay on the grounds that he is claiming the benefit of the order of this Tribunal passed on 17.10.2003 in O.A. No. 124/000 in Sher Singh Vs. Union of India & others in which the applicants were similarly placed persons. In order to do substantial justice, we condone the delay. M.P. 3158/2005 stands disposed of.

2. The services of the applicant, who was working as Khalasi (Class IV) with the respondents, was terminated by order dated 18.11.1998. The applicant has challenged the said order of cancellation of appointment/termination dated 18.11.1998 in Annexure No. 1 to this Original Application and prays for grant of ² along with all consequential benefits including reinstatement in service, arrears of



pay and allowances at par with similarly placed person in O.A. No. 124/2000 decided on 17.10.2003.

3. It is admitted that the applicant has not made a representation to the respondents for extending the benefit of those orders, which were given to the similarly situated persons. Learned counsel for the applicant has requested that the present O.A. may be treated as representation made by the applicant to the respondents for redressal of his grievance pleaded therein. The respondents do not oppose the prayer. Even otherwise ^{it will not} _^ prejudice the right of the respondents in the matter.

4. Accordingly, the respondents are directed to treat the present O.A. as a representation made by the applicant to the respondents for redressal of grievance pleaded therein. The respondents shall decide the representation of the applicant by reasoned order within a period of two months from the date of communication of this order.

5. O.A. stands disposed of in terms of above directions. No costs.


(S.P. ARYA)
MEMBER(A)


(M.A. KHAN)
VICE CHAIRMAN.

v.