

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

M.P.No.2521/2006

In

Diary No.2764/2006

In

Original Application No. 495/06 /2006

This the 19th day of October 2006

HON'BLE MR. M. KANTHAIAH. MEMBER JUDICIAL.

1. S.K. Talwar, aged about 45 years, son o Late K.B. Talwar, R/o 93-C, Anand Nagar, Jail Road, Lucknow.
2. Bharat Bhushan, aged about 44 years, son o Late Radhay Shyam, R/o 55 K/390, Om Nagar, Alambagh, Lucknow.
3. Rama Kant, aged about 43 years, son of Sri Dwarika Nath Tripathi, R/o 570/198 K/1, Gopalpuri, Alambagh, Lucknow.
4. N.K. Sharma, aged about 45 years, son of Sri Brij Kishore Sharma, R/o 316/35, Badi Kali Ka Mandir, Chowk, Lucknow.
5. Smt. Upma Gupta, aged about 42 years, wife of Sri S.K. Gupta, R/o I/2-A, Sleeper Ground, Alambagh, Lucknow.

...Applicant.

By Advocate: Shri Vijay Dixit.

Versus.

1. Secretary, Railway Board, Rail Bhawan, New Delhi.
2. Deputy Director Establishment (Welfare), Railway Board, Rail Bhawan, New Delhi.
3. General Manager, Northern Railway, Hazratganj, Lucknow.
4. Divisional Railway Manager, Northern Railway, Hazratganj, Lucknow.

By Advocate: Shri Q.H. Rizvi.

ORDER (Oral)**BY HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.**

Heard Shri Vijay Dixit, the learned counsel for the applicant and Shri Q.H. Rizvi, the learned counsel for respondents.

2. The applicants No. 1 to 4 who are working on the post of Deputy Chief Inspector (Ticket), whereas, the applicant No.5 is working on the post of Deputy Reservation Supervisor, have filed this O.A. claiming that they are entitled to the first class privilege passes as per rules and in support of it they have also relied on the decision of the Central Administrative Tribunal (Principal Bench), New Delhi in O.A.No.114/2003 dated 16.08.2004 and also in O.A.No.604/2005 on the file of Central Administrative Tribunal, Lucknow Bench dated 09.12.2005 ^{and} ~~also~~ stated that they have also made representation ² dated 30.08.2006 covered under (Annexure-13) to the respondents but the respondents have not disposed of it.

3. Learned counsel for the applicant also stated that their representation is still pending with the respondents and if a direction is given to the respondents to dispose of his representation dated 30.08.2006 covered under (Annexure-13) ^{with} grounds of O.A. within stipulated time, taking into consideration the judgments of the Central Administrative Tribunal (Principal Bench), New Delhi in O.A.No.114/2003 dated 16.08.2004 (Annexure-9) and O.A.No.604/2005 on the file of Central Administrative Tribunal, Lucknow Bench dated 09.12.2005 (Annexure-11), their purpose would be served. The learned counsel for respondents have not opposed

such request for consideration of the representation of the applicants and passing the appropriate orders by taking into consideration the judgments of the Central Administrative Tribunal (Principal Bench), New Delhi in O.A.No.114/2003 dated 16.08.2004 (Annexure-9) and O.A.No.604/2005 on the file of Central Administrative Tribunal, Lucknow Bench dated 09.12.2005 (Annexure-11) within the stipulated time.

4. In view of the above circumstances, the application is disposed of at admission stage directing the respondents to consider the representation of the applicants dated 30.08.2006 covered under (Annexure-13) and also fresh application with grounds of O.A., by taking into consideration the judgments of the Central Administrative Tribunal (Principal Bench), New Delhi in O.A.No.114/2003 dated 16.08.2004 (Annexure-9) and O.A.No.604/2005 on the file of Central Administrative Tribunal, Lucknow Bench dated 09.12.2005 (Annexure-11) and to pass orders as per the rules and regulations within a period of three months from the date of the receipt of the certified copy of this order. The applicant^{are}₂ is directed to submit their fresh representations with grounds of O.A. alongwith certified copy of this order to the respondents. No order as to costs.


(M. KANTHAIAH)
MEMBER (J)

19.10.06

/amit/