

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Joint Application No.1719/2007

In

Original Application No.323/2007

This the 31st day of July 2007

HON'BLE MR. N.D. DAYAL, MEMBER (A)
HON'BLE MR. M. KANTHAIAH, MEMBER (J)

1. Radhey Shyam Lal, aged about 47 years, son of Late Shri Ram Kewal Lal, resident of -II-121-G, Sleeper Ground Railway Colony, Alambagh, Lucknow.
2. N.K. Srivastava, aged about 48 years, son of Late Shri Lal Bhadur Srivastava, resident of 569 Ch/27, Prem Nagar, Alambagh, Lucknow.
3. Veerpal Singh, aged about 50 years, son of Late Shri Banwari Lal, resident of 557/149, New Om Nagar, Alambagh, Lucknow.
4. Shankar Lal Kushwaha, aged about 49 years, son of Late Shri Nanku Lal Kushwaha, resident of -II-186-D, Diesel Coony, Alambagh, Lucknow.
5. Mohd. Kaism Raza, aged about 49 years, son of Shri Syyed Ahmad Raza, resident of II-1116-D, Railway Colony, Church Road, Alambagh, Lucknow.
6. Inder Mohan, aged about 45 years, son of late Shri K.L. Menhdiratta, resident of MM-D-1/388, LDA Colony, Kanpur Road, Lucknow.
7. Ramesh Singh, aged about 47 years, son of Shri Shiv Anuj Singh, resident of II-183-J, Multi Story-VG Colony, Alambagh, Lucknow.
8. Smt. Neelam Sharma, aged about 47 years, D/o Late Shri Satya Prakash Sharma, resident of MM-D-1/527, LDA Colony, Kanpur Road, Lucknow.
9. Subhashis Bennerji, aged about 48 years, son of Shri P.N. Bennerji, resident of C/o 569-Ch/27, Prem Nagar, Alambagh, Lucknow.
10. Smt. Shanti Singh, aged about 44 years, D/o Shri Ranjeet Singh, resident of L-67, Grenz Road, Charbagh, Lucknow.

...Applicant.

By Advocate: Shri Praveen Kumar.

Versus.

Union of India through

1. The General Manager (P), Northern Railway, Baroda House, New Delhi.
2. The Chief Works Manager, Loco Workshop, Charbagh, Lucknow.
3. Deputy Director Establishment (Welfare), Railway Board, Rail Bhawan, New Delhi.

By Advocate: Shri S. Verma.

ORDER (Oral)

BY HON'BLE MR. N.D. DAYAL, MEMBER (A)

Heard Shri Praveen Kumar, the learned counsel for the applicants, and Shri S. Verma, the learned counsel for respondents.

2. Learned counsel for the applicants has drawn our attention to the representation to the General Manager (P), Northern Railway at (Annexure-9) wherein they have sought benefit of First Class Privilege Passes as has been provided to others who are stated to be similarly situated persons and whose names were on the panel of employment notice No.1/82 as well as 1/82-83. It is stated that in those cases where the juniors from the panel were granted First Class Privilege passes, the seniors had come before the Tribunal at the Principal Bench, New Delhi in O.A.No.414/2003 alongwith others decided on 16.8.2004 by asking the respondents to consider their cases.

3. The Learned counsel for the applicants submits that the representation of the applicants has been decided by Annexure-A-9, which is a cryptic and non-speaking order. He therefore, prays that it would be only fair, if respondents were to ~~re~~ consider the same in view of the action taken in the past in the cases of similarly situated

persons keeping in view the decision of Principal Bench, New Delhi passed in O.A.No.414/2003.

4. Learned counsel for the respondents submits that he has not received specific instructions in the matter but incase the counsel for applicant provides a copy of the judgment passed by the Principal Bench of this Tribunal on which he is relying the respondents would consider the relief sought by the applicants in this OA, in accordance with law. A copy of the judgment has been handed over to the learned counsel for respondents in the court itself.

5. In view of the above, the impugned order dated 6.7.2007 is set-aside. The Respondent No.1 is asked to re-consider the representation at Annexure-9 to this OA, in accordance with law keeping in view the grounds advanced in this OA as well as the prayer made therein, in the light of the order passed by the Principal Bench of this Tribunal at New Delhi in the above OA, and inform the applicants by way of a speaking order.

The OA is disposed of as above. No order as to costs.


(M. KANTHAIAH)
MEMBER (J)


(N.D. DAYAL)
MEMBER (A)

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