

Central Administrative Tribunal Lucknow Bench Lucknow

O.A. 327/2008

Lucknow this, the 15th day of September 2008.

**Hon'ble Mr. M. Kanthaiah, Member (J)
Hon'ble Dr. A. K. Mishra, Member (A)**

1. Naveen Kumar, aged about 39 years, S/o Shri V. P. Srivastava.
2. Shambhoo Prasad, aged about 49 years, S/o Shri V. P. Srivastava
3. Prem Prakash Yadav, aged about 28 years, s/o Sri H.P. Yadav.
4. Sachin Kumar Nigham, aged about 29 years S/o Sri D. P. Nigham.
5. Harsh Pati, aged about 41 years, S/o Sri Khem Chand.
6. Ram Kumar, aged about 48 years, S/o Sri Shyam Sunder.
7. Vikram Singh, aged about 48 years, S/o Sri Bajrangi Singh.
8. Shambhoo Nath, aged about 50 years, s/o Late Sri Nithali.

(Resident of -C/o -549/172-Kha, Bara Barha, Alambagh, Lucknow)

Applicants.

By Advocate Sri. Praveen Kumar.

Versus

1. The General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Deputy Chief Electrical Engineer (w),
C&W Workshop, Northern Railway,
Alambagh, Lucknow.

Respondents.

By Advocate Sri B.P. Rai for Sri Arvind Kumar.

Order (Oral)

By Hon'ble Mr. M. Kanthaiah, Member(J):

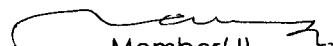
Heard both sides.

2. M.P. No. 1989/2008 has been filed by the 8 applicants jointly stating that the cause of action is one and the same and also their relief is common and as such, the application is allowed. Office is directed to give O.A. number.
3. It is also the case of the applicant that they are entitled to the benefits of up-gradation in terms of Restructuring Scheme dated 9.1.2003 read with clarification issued by Railway Board on 23.7.2004 w.e.f. 1.11.2003 with all consequential benefits and in this

regard, they have also made representation on 10.12.2007, which is annexed as Annexure A-6, but the same is still pending.

4. When the representation of the applicant is still pending, issue of any direction in respect of the claim of the applicants is not at all possible. In the interest of justice, O.A. is disposed of with a direction to the respondent No. 2 to dispose of the applicants representation dated 10.12.2007 (Annexure A-6) as per rules within a period of two months from the date of receipt of copy of this order and with ~~these~~ ^{this} directions, O.A. is disposed of. No costs.


Member(A)


Member(J)

15-09-08

v.