

Central Administrative Tribunal, Lucknow Bench, Lucknow

ORIGINAL APPLICATION No.39/2010

This the 18th day of February, 2010

Hon'ble Mr. Justice A.K. Yog, Member (J)

Hon'ble Dr. A.K. Mishra, Member (A)

1. Dinesh Awasthi, aged about 39 years S/o Sri Kapil Awasthi
R/o H.No.533/65, Mahaveerji-ka-purwa, Aliganj Lucknow.
2. Ms. Suman Devi aged about 42 years D/o Sri Murli Dhar
Shukla R/o H/No.533/65, Mahaveerji-ka-urwa, Aliganj,
Lucknow.

.....Applicant

By Advocate: Shri Amit Verma for Shri A. Moin.

Versus.

1. Union of India through General Manager North Eastern
Railway, Baroda House, Gorakhpur.
2. Divisional Railway Manager, North Eastern Railway, Ashok
Marg, Lucknow.

.....Respondents

By Advocate: Shri Saurabh Lawania.

ORDER (Oral)

Delivered by Justice A.K. Yog, Member (J)

Heard learned counsel for the parties on both sides.

2. The applicants seeks following reliefs vide para 8 of the OA
which reads:-

"VIII. Relief Sought:

*In view of the facts mentioned in Para IV above, the
applicants pray for grant of following reliefs:*

a). *to direct the Respondent No. 2 to extend the benefit of
the Judgment and order dated 13.10.09 passed by the Hon'ble
High Court in Writ Petition No.74 of 2005 (SB) in re Union of
India Vs. Vinay Kumar Mishra and others to the applicants as
contained in Annexure A-11 to the OA with all consequential
benefits.*

b). *to direct the respondents to pay the cost of this
application.*



c). Any other order which this Hon'ble Tribunal deems just and proper in the circumstances of the case be also passed."


3. The applicant has filed copy of representation dated March 21st, 2009 (Annexure-A-1/Compilation-I).

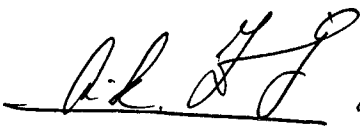
4. According to the applicants, said representation has not been decided and no decision has been communicated to them by the respondents sofar.

5. In view of the above, we direct the applicants to pursue their representation and the same to be decided at the earliest.

6. In view of the above, we direct the applicants to file within 6 weeks from today a certified copy of this order alongwith a copy of OA (both Compilation-I + II) alongwith 'additional representation' (if required) before Opposite Party no.2/ Divisional Railway Manager, North Eastern Railway, Ashok Marg, Lucknow and the said authority shall (provided said representation/additional representation is presented, as stipulated/contemplated above) decide the same within 3 months of the receipt of the representation by passing a reasoned and speaking order in accordance with law. Decision taken shall be communicate to the applicants forthwith.

7. OA is disposed of as above. No costs.


(Dr. A.K. Mishra)
Member (A)


(Justice A.K. Yog)
Member (J)

Amit/-