

**CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH,
LUCKNOW.**

Original Application No. 79 of 2011

Reserved on 30.7.2012

Pronouncement on 31.7.2012

Hon'ble Mr. S.P. Singh, Member-A

Hon'ble Mr. Navneet Kumar, Member-J

1. Sunil Kumar Bajpai, S/o Sri P.N. Bajpai.
2. Ganga Sagar Tiwari, S/o Sri Ram Gopal Tiwari.
3. Vinai Kumar Yadav, S/o late Gyan Chandra Yadav.
4. Shiv Kumar Verma, S/o late Barati Lal.
5. Vikas Kumar, S/o late Kashi Prasad.

.....Applicant

By Advocate : Sri Praveen Kumar

Versus.

1. Union of India through the General Manager, Northern Railway, Baroda House, New Delhi.
2. The Chief Works Manager, Loco Workshop, Northern Railway, Charbagh, Lucknow.

.....Respondents.

By Advocate :Sri S. Verma.

ORDER

By S.P. Singh, Member-A

This O.A. has been instituted seeking following relief(s):

"(i) to grant the benefits of the order dated 11.2.2010 granted to similarly situated persons Sri Rajendra Prasad and other with all consequential benefits.

(ii) to issue fresh seniority list indicating the date of assignment of seniority w.e.f. the date of Skilled Hammerman of the applicants as has been done in the matter of Sri Rajendra Prasad & Others and further grant other consequential benefits.

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(iii) *Any other relief which this Hon'ble Tribunal may deem fit, just and proper under the circumstances of the case may also be passed.*

(iv) *Cost of the present case as the applicants have unnecessary dragged into litigation."*

2. The applicants have been working in the office of respondent no.2 i.e. Chief Works Manager, Northern Railway, Lucknow. It is said that the applicants have been representing their cause from time to time, but the respondent no.2 have not redressed the grievances of the applicants so far. The latest representation dated 3.6.2010 is addressed to respondent no.2, which is stated to be pending with respondent no.2 for consideration. Learned counsel for the applicant submits that the applicants would be satisfied at this stage if the respondents are directed to consider and decide their representation, contained at Annexure no.13 of this O.A, and pass a reasoned and speaking order within a stipulated period of time. Learned counsel for the respondents, who was present in Court, has no objection to this innocuous prayer made by the learned counsel for the applicant.

3. Heard the learned counsel for the parties and perused the material available on record.

4. It is seen that, at this stage, Counter Reply has not been filed by the respondents despite various opportunities having been granted to them. Learned counsel for the respondents has no explanation regarding delay in filing Counter Reply. On the other hand, he has been seeking extension of time to file Counter Reply, but still no Counter Reply has been

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filed despite last opportunity having been given on 17.5.2012.

5. In view of the aforementioned facts, we consider that the interest of justice would be served if the respondents particularly respondent no.2 is directed to dispose of fresh representation to be filed by the applicant within 10 days from the date of receipt of copy of this order. If such representation is filed within the aforesaid stipulated period of time, the respondents particularly respondent no.2 is directed to consider and decide the above representation of the applicant with a reasoned and speaking order within a period of four months from the date of receipt of such representation is presented before him by the applicant.

6. With the above directions, O.A. stands disposed of. No order as to costs.

VR. Kapoor
 (Navneet Kumar) 31/7/12
 Member(J)

Girish/-

SP Singh
 31.07.2012
 (S.P. Singh)
 Member (A)