

**THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

M.P.No.3156/2005

In

① Diary No.3092/2005

In

604

Original Application No. 2005

This the 9th day of December 2005

HON'BLE SHRI K.B.S. RAJAN, MEMBER (J)

1. Rajesh Kumar Misra aged about 45 years, son of Sri Akhileshwar Mishra, R/o House No. B-1, SS/II/1548, L.D.A. Colony, Kanpur Road, Lucknow.
2. Brijesh Kumar Singh aged about 42 years, son of Sri R.N. Singh, R/o II-28-C, Munawwar Bagh Railway Colony, Charbagh, Lucknow.
3. Rejendra Prasad aged about 43 years, Son of Sri Bhadra Ram, R/o 20 No., Vikram Nagar, R.D.S.O. Lucknow.
4. Naseem Ahmad Siddiqui aged about 43 years, son of Sri U.A. Siddiqui, R/o Azad Nagar, Alambagh, Lucknow.
5. Chhote Lal Gupta abed about 45 years, son of Sri Shiv Pujan Ram, R/o Gram Bhitari, Post Lohtaroa, District Varanasi.
6. Om Prakash Srivstava aged about 42 years, son of Late Naval Kishore Lai, R/o 2037/198-B-2, Virdopur, Varanasi.

...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 Manger, Northern Railway, Hazratganj, Lucknow.
4. General Manager, Northern Railway, Baroda House, New Delhi.

...Respondents.

✓ By Advocate: Shri Saurabh Lawania for Shri Q.H. Rizvi.

ORDER (Oral)

BY SHRI K.B.S. RAJAN, MEMBER (J)

1. Heard the counsel for the parties.
2. The short question involved in this case is whether the applicants are entitled to the 1st Class Privilege Passes as given to others belonging to the same panel.
This is no longer w
3. ~~There is~~ res-integra question and the same has already been decided in the case of S.L. Aggrawal vs. General Manager, Northern Railway, New Delhi vide O.A.No.112/2003 decided on 16.8.2004 (Annexure-11 to the O.A.). In addition to this, vide order dated 7.6.2005 the Railway Board have clearly stated that 1st Class Privilege Passes may be granted to the employees who belong to 1/80-81 and 1/82-83^{panel} irrespective of their date of joining in the Railways. As such prima-facie, the claim of the applicants seems to be justified. It has been stated that the representations of the applicants are still pending with respondents. Interest of justice would be met if without calling of C.A. etc. the O.A. is disposed off at admission stage with a direction to the respondents to consider the representations of the applicants keeping in view the judgment of Principal Bench as mentioned above as well as decision of Railway Board dated 07.06.2005 (Annexure-12 to the O.A.). The applicant shall ^{make} available a copy of entire O.A. to the respondents alongwith the copy of this order so that the respondents while disposing off the representations consider all the grounds raised in the O.A. and

pass suitable order within a period of two months from the date of receipt of the copy of this order.

4. The O.A. is disposed off as above without any order as to costs.



(KB.S. RAJAN)
MEMBER (J)

/Ak/