

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Original Application No.235/2007
This the 24th day of January 2008

HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.

Bharat Kumar Sharma, aged about 47 years, son of Shri Hriday Narain Sharma, resident of H.No.554/61 A, Pawanpuri, Gali No.11, Alambagh, Lucknow.

...Applicant.

By Advocate: Shri Praveen Kumar.

Versus.

1. Union of India, through its Secretary, Ministry of Railways, Rail Bhawan, New Delhi.
2. General Manager, (N.R.), Baroda House, New Delhi.
3. Divisional Manager/Divisional Railway Manager (N.R.)
Divisional Officer, Hazratganj, Lucknow.
4. Station Superintendent (N.R.) Charbagh Railway Station,
Lucknow.

...Respondents.

By Advocate: Shri S. Verma.

ORDER (Oral)

BY HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.

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

2. The applicant has filed this OA to issue direction to the respondents for regularization of his service in Group D post. It is also the contention of the applicant that he made a representation covered under (Annexure-A-3) dated 18.04.2006 but the same is still pending for consideration and if, the respondent authorities are directed to dispose of his pending representation in the light of judgment passed

in O.A.No.270/2007 dated 02.04.2004, who is similarly situated person to the applicant, the purpose of OA would be served.

3. The respondent counsel represented that he has filed detailed Counter Affidavit and opposed the claim of the applicant.

4. When the representation of the applicant is still pending without any orders, issuing of any direction to the respondent authorities in respect of the claim of the applicant is not at all justified at this stage. Admittedly, the applicant also not filed copy of the judgment passed in O.A.No.270/2001 alongwith the OA and also not based any reliance in his pleadings. But his contention is that applicant in O.A.No.270/2001 and the present applicant both are similarly situated persons and as such, earlier judgment got some bearing, while disposal of his claim.

5. In view of the above circumstances and for a fair and just disposal of the proceedings, OA is disposed of with a direction to the Respondent No.2 to dispose of the pending representation of the applicant covered under (Annexure-A-3) dated 18.04.2006 with a reasoned order as per rules and also take note of earlier judgment passed in O.A. No. 270/2001 dated 02.04.2004 by this Bench of the Tribunal since, it is the contention of the applicant that both are similarly situated persons within a period of three months from the date of receipt of the copy of this order. No costs.


(M. KANTHAIYAH)
MEMBER (J)

24-01-08

Ak/.