

(16)

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

O.A. No. 1231/96 (O.A.Sr.No.2543/96).
T.A. No.

DATE OF DECISION 11.10.96.

M.Eswara Rao & 3 Ors.

(PETITIONER (S)

Shri Y.Subrahmanyam

ADVOCATE FOR THE PETITIONER (S)

VERSUS

U.O.I. Rep. by General Manager,
S.E.Rly., Calcutta-43 & 6 Ors.

RESPONDENT (S)

Shri C.V.Malla Reddy, SC for Rlys.

ADVOCATE FOR THE RESPON-
DENT (S).

THE HON'BLE Shri Justice M.G.Chaudhari : Vice-Chairman

THE HON'BLE Shri H.Rajendra Prasad : Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgement ?
4. Whether the Judgement is to be circulated to the other Benches ?

W.M.C.
Judgement delivered by Hon'ble Shri Justice M.G.Chaudhari,
Vice-Chairman.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No. 1231/96.
O.A.Sr.No.2543/96.

Date of order : 11.10.1996.

Between

1. M.Eswara Rao
2. S.Jogi Babu
3. B.V.Ramana Murty
4. A.Krishna Rao .. Applicants

And

1. U.O.I. Rep. by
General Manager,
S.E.Rly., Calcutta-43.

2. Chief Personnel Officer,
S.E.Rly., Calcutta-43.

3. Sr. Divl. Electrical
Engineer (TRS),
S.E.Rly., Visakhapatnam.

4. Divl. Rly. Manager,
S.E.Rly., Visakhapatnam.

5. R.T.Vijayan
S/o R.T.Kuttan,
Aged 33 Years,
Trainee Chargeman, HSF-Gr.II,
Sr. D.E.E.(TRS) Office,
S.E.Rly., Visakhapatnam.

6. Kum. A.Tirumala Devi
D/o A.Radhakrishna,
Aged 30 Years,
Trainee Chargeman, HSF-Gr.II,
Sr. D.E.E.(TRS) Office,
S.E.Rly., Visakhapatnam.

7. D.Venkateswara Rao
S/o D.Suryanarayana,
Aged 32 Years,
Trainee Chargeman, HSF-Gr.II,
Sr. D.E.E.(TRS) Office,
S.E.Rly., Visakhapatnam. .. Respondents

Counsel for the Applicants .. Shri Y.Subrahmanyam

Counsel for the Respondents .. Shri C.V.Malla Reddy,
SC for Rlys.

C O R A M

Hon'ble Shri Justice M.G. Chaudhari : Vice-Chairman

Hon'ble Shri H.Rajendra Prasad : Member(A)

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Order

(Per Hon'ble Shri Justice M.G.Chaudhari : Vice-Chairman)

Subject to the O.A. being numbered we have heard Shri Y.Subrahmanyam, learned counsel for the applicant for admission of the O.A. We have also heard Shri C.V.Malla Reddy, learned counsel for the respondents.

2. Learned counsel for the respondents raises the contention that the O.A. is barred by limitation. We do not propose either to examine the question of limitation or examine the merits of the case. Both these aspects are left open.

In the interest of justice as we find that in the light of the decision of this Tribunal in O.A.No.983/92 the respondents have extended the benefit to the applicants in that O.A. on 10.7.95 and while it is contended by the applicants that they are similarly placed and their representation filed on 3.7.94 had not been disposed of by the respondents, that the respondents may be directed to consider the said representation in the light of the previous judgement of this Tribunal and such policy decision as may have been taken in the light of that decision in respect of employees who were denied the benefit as had been denied to the applicants in the earlier O.A. and convey their decision to the applicants. We expect the respondents to take the decision uninfluenced by the consideration that an objection of limitation to the maintainability of this O.A. had been raised on their behalf and also that the earlier decision was obtained by the applicants therein in their individual capacity. It will be open to the respondents to extend the benefit similarly to the applicants if they are inclined to do so.

3. Subject to the above directions to Respondent No.2 and to such of the other official respondents as may be concerned with the consideration of the representation of the applicant the O.A. is rejected. No order as to costs.

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(H.Rajendra Prasad)

Member (A)

D.R.(TCC)
31-10-96

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(M.G.Chaudhari)

Vice-Chairman.

Dated: 11.10.96.

Dictated in Oneh Caw.