

Central Administrative Tribunal
Jabalpur Bench
Camp at Gwalior

OA No.359/06

Gwalior, this the 7th day of November, 2006.

CORAM

Hon'ble Dr.G.C.Srivastava, Vice Chairman\
Hon'ble Shri A.K.Gaur, Judicial Member

Mahendra Singh
S/o Shri Phool Singh
R/o Sadar Bazar
Kolaras, Dist.Shivpuri (MP)

Applicant.

(By advocate Shri K.K.Pachori)

Versus

1. Union of India through
Secretary
Department of Railways
New Delhi.
2. The Deputy Chief Engineer
(Constructions), Central Railways
Gwalior (MP).

Respondents.

(By advocate Shri Raja Sharma)

ORDER (oral)

By Dr.G.C.Srivastava, Vice Chairman

This OA has been filed by the applicant seeking appointment on the ground that his land was acquired by the Railways in the year 1992 and as per the policy of Railways, such an appointment is permissible and was given in other similar cases. The original application has been filed in the year 2006 after a lapse of 14 years. The application is accompanied by an application for condonation of delay and an affidavit stating that as the matter involved in the

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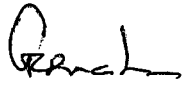
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application is ^{in the nature of policy} ~~still alive~~, hence the application cannot be rejected on the ground of limitation alone. Our attention is drawn to the orders passed by this Tribunal in OA No. 801/95, 870/96, 420/04, 431/04, 432/04 and 588/04 in which similar matters were considered and the delay in filing those OAs was condoned. Relying on those decisions, we also condone the delay in the filing the present application. Learned counsel for the applicant has also prayed that directions, as were issued in the aforesaid OAs, may be issued in this case also.

2. We have heard Shri Raja Sharma, learned counsel for the respondents also. He has stated that in pursuance of the orders passed by the Tribunal in the aforesaid OAs, the case of the applicant was considered and appropriate orders were passed.

3. Accepting the prayer of the leaned counsel for the applicant, we direct that the applicant also may be given similar benefit as given in the case of other similar applicants and the representation made by the applicant may be disposed of within a period of two months from the date of this order, without rejecting the case on limitation ground and by treating the case similar to other cases and the representation which has been made by the applicant in the light of the decision in OA No.801/95 – Manoj Kumar Dwivedi vs. Union of India & others decided on 24.7.98. The representation shall be disposed of by a speaking and reasoned order and benefits, if any, admissible to the applicant, may be given according to rules and instructions on the subject. ^{within the aforesaid period.} With these directions, the OA is disposed of.


(A.K. Gaur)
Judicial Member


(Dr. G.C. Srivastava)
Vice Chairman