

**THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET**

APPLICATION NO.: _____

Applicant(s)

Respondent (s)

Advocate for Applicant (s)

Advocate for Respondent (s)

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NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

13.07.2007

OA 253/2006

Present : Mr. Nand Kishore, counsel for the applicant.

Mr. Anupam Agarwal, counsel for the respondents.

This case has been listed before the deputy Registrar due to non-availability of Division Bench. Be listed before the Hon'ble Bench on 25.07.2007.

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(GURMIT SINGH)
DEPUTY REGISTRAR


25.07.2007

OA No. 253/2006

Mr. Nand Kishore, Counsel for applicant.

Mr. Anupam Agarwal, Counsel for respondents.

Heard. The OA is disposed of by a separate order.


(J.P. SHUKLA)
MEMBER (A)

AHQ


(KULDIP SINGH)
VICE CHAIRMAN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 25th day of July, 2007

ORIGINAL APPLICATION NO.253/2006

CORAM :

HON'BLE MR.KULDIP SINGH, VICE CHAIRMAN
HON'BLE MR.J.P.SHUKLA, ADMINISTRATIVE MEMBER

1. H.S.Nagpal,
Head Clerk under the control of
Chief Adm.Officer (C),
North Western Railway,
Jaipur.
2. Ravi Shankar,
Head Clerk under the control of
Chief Adm.Officer (C),
North Western Railway,
Jaipur.
3. Rajesh Kumar Sharma,
Head Clerk under the control of
Chief Adm.Officer (C),
North Western Railway,
Jaipur.

... Applicant

(By Advocate : Shri Nand Kishore)

Versus

1. Union of India through
General Manager,
North Western Railway,
Hasanpura Road,
Jaipur.
2. Chief Administrative Officer (Construction),
North Western Railway,
Opposite Railway Hospital,
Hasanpura Road,
Jaipur.
3. Divisional Railway Manager,
North Western Railway,
Power House Road,
Jaipur.

... Respondents

Amul

(By Advocate : Shri Anupam Agarwal)

ORDER (ORAL)

PER HON'BLE MR.J.P.SHUKLA

The applicants have filed this OA under Section 19 of the Administrative Tribunals Act, 1985, praying for the following relief :

"Direct the respondents i.e. General Manager, North Western Railway, to consider the options submitted by the applicants on 28.8.2002 (Ann.A/5), which were received in the office of General manager on 28.8.2002 (Ann.A/6) duly forwarded by CAO (C) Jaipur, respondents No.2, as controlling authority of the applicants. The names of the applicants be taken in the lien of HQ Office of N.W.Rly Jaipur like the employees mentioned in Ann.A/3 dated 16.6.2006."

2. At the very outset, learned counsel for the applicants produced a copy of the judgement dated 4.5.2007, passed by this Tribunal in the case of **S.K.Dutta v. Union of India & Ors.**, (OA 278/2006), and submitted that the present OA is squarely covered by the said decision of this very bench of the Tribunal as the applicants in the present OA are similarly situated and have prayed for the same relief, as has already been granted by this Tribunal in OA 278/2006 (supra). He prayed that the same decision may be granted in the present OA also.

3. Learned counsel for the respondents also agreed to the submissions made by the learned counsel for the applicants and also prayed that the same decision may be granted in the present OA.

4. In view of the submissions made by the learned counsel for the parties and perusal of the documents placed on record and the decision dated 4.5.2007, passed by this Tribunal in OA

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278/2006, which is taken on record, we are of the view that the present case is squarely covered by the decision referred to above and accordingly the same relief is being granted in the present OA as has already been given in OA 278/2006 :

"This OA is, therefore, disposed of with a direction to the respondents to consider the applicants for absorption in the North Western Zone, even by creation of a supernumerary post, if necessary, as timely applications exercising option for absorption was submitted by them and they have been working satisfactorily in the Construction of the North Western Railway and, therefore, they deserve priority. No order as to costs."


(J.P. SHUKLA)
MEMBER (A)


(KULDIP SINGH)
VICE CHAIRMAN

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