

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 10.04.2013

OA No. 297/2013 with MA No. 122/2013

Mr. Virendra Dave, counsel for applicants.

Heard learned counsel for the applicants.

O.A. as well as M.A. are disposed of by a separate order on the separate sheets for the reasons recorded therein.

Anil Kumar

(ANIL KUMAR)
MEMBER (A)

K.S. Rathore

(JUSTICE K.S. RATHORE)
MEMBER (J)

Kumawat

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 297/2013
WITH
MISC. APPLICATION NO. 122/2013

DATE OF ORDER: 10.04.2013

CORAM

HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER

1. Khetendra Singh Rajawat S/o Shri Mohan Singh Rajawat, R/o House Number 737, Gangori Bazar, Chini Ki Burj, Jaipur.
2. Vikram Singh Rajawat S/o Shri Mohan Singh Rajawat, R/o House Number 737, Gangori Bazar, Chini Ki Burj, Jaipur.
3. Nisha Sambariya D/o Shri Nemi Chand, R/o Gram & Post Marwa, Tehsil Dudu, District Jaipur.
4. Smt. Suman W/o Late Shri Suresh Kumar Sharma, R/o Bilonchi Nagar, Bainard Road, Jaipur.
5. Smt. Kamla Saini W/o Late Shri Ramavatar Saini, R/o Bal Nagar-H, Charra Factory Ke Pichai, Kaniyabanda, Luniyabas, Tehsil Sanganer, District Jaipur.
6. Chagan Lal Jangid S/o Shri Ramji Lal Jangid, R/o Gram Post Khawa Rao Ji, Tehsil Dosa, District Dosa.
7. Rakesh Kumar Sharma S/o Shri Sita Ram Sharma, R/o Khedala Khurd, Post Higotiya, Tehsil Dosa, District Dosa.
8. Jitendra Kumar Sharma S/o Shri Madan Lal Sharma, R/o Khedala Khurd, Post Higotiya, Tehsil Dosa, District Dosa.

...Applicants

Mr. Virendra Dave, counsel for applicants.

VERSUS

1. Union of India through the General Manager, North-Western Railway, Head Quarter Office, Jaipur.
2. The Chief Personnel Officer, Office of General Manager, North Western Railway, Head Quarter Office, Jaipur.

...Respondents

ORDER (ORAL)

By way of filing the present Original Application, the applicants have prayed for the following reliefs:

- "i). That direct the respondents to immediately give appointment to the applicants on the post of Fresh Face Substitutes in Group 'D' from the date when applicants applied or from the date their junior have been so appointed.



- ii). That direct the respondents to immediately give all consequential benefits to the applicants as per relevant rules/law.
- (iii). Any other appropriate order or direction which this Hon'ble Tribunal may deem fit & proper in the facts & circumstances of the present case, may also be passed in favour of the applicants. "

2. From bare perusal of the pleadings as well as documents available on record, it reveals that the applicants have submitted a Legal Notice for Demand of Justice dated 09th February 2013 (Annexure A/1) before the respondents through their counsel, which is still pending for consideration. In view of this fact, we deem it just and proper that the ends of justice would be met if the respondents are directed to consider and decide the Legal Notice for Demand of Justice dated 09th February 2013 (Annexure A/1), taking into account the order dated 11th January, 2013 passed by the Central Administrative Tribunal, Jodhpur Bench, Jodhpur in O.A. No. 302/2010 & batch cases - Pappu Ram Vs. Union of India & Anr. - (Annexure A/6), by way of passing a reasoned and speaking order.

3. Consequently, the respondents are directed to consider and decide the Legal Notice for Demand of Justice dated 09th February 2013 (Annexure A/1) strictly in accordance with the provision of law, taking into account the order dated 11th January, 2013 passed by Central Administrative Tribunal, Jodhpur Bench, Jodhpur in O.A. No. 302/2010 & batch cases (supra), and shall pass a reasoned and speaking order expeditiously but in any case not later than a period of three months from the date of receipt of a copy of this order.



4. If any prejudicial order against the interest of the applicants is passed by the respondents, the applicants will be at liberty to challenge the same by way of filing the substantive Original Application in accordance with the provision of law.

5. With these observations and directions, the Original Application stands disposed of with no order as to costs.

6. In view of the order passed in Original Application, no further order is required to be passed on the Misc. Application for condonation of delay. Accordingly, the Misc. Application is disposed of.

Anil Kumar
(ANIL KUMAR)
MEMBER (A)

K. S. Rathore
(JUSTICE K.S. RATHORE)
MEMBER (J)