

CENTRAL ADMINISTRATIVE TRIBUNAL,

CHANDIGARH BENCH

O.A.No.060/00/297/2014

Decided on: 02.04.2014

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MR. UDAY KUMAR VARMA, MEMBER (A)**

1. ANIL KUMAR K. S/O SHRI T.K.R. NAIR, AGED 51 YEARS, WORKING AS PS-II, EMPLOYEE NO. 455204, R/O QTR. NO. 338-A, TYPE-III, RCF/KAPURTHALA-144602 (PUNJAB).
2. SUNITA NARULA W/O SHRI G.K. NARULA, AGED 47 YEARS, WORKING AS PS-II EMPLOYEE NO. 251678, R/O GH-4/118, MEERA APARTMENTS, OUTER RING ROAD, PASCHIM VIHAR, NEW DELHI-110063.
3. SANTOSH KUMARI W/O SH. VISHVESH NAYYAR, AGED 50 YEARS, WORKING AS PS-II EMPLOYEE NO. 52219, R/O 557, SHALIMAR GARDEN EXTN. 1, SAHIBABAD, GHAZIABAD-201005.
4. ANIL KUMAR S/O LATE ISHWARI PARSAD, AGED 47 YEARS, WORKING AS PS-II, EMPLOYEE NO. 454729, R/O 38, KOT GAON, GHAZIABAD-201001.
5. RAKESH KUMAR BATRA S/O LATE LADHA RAM, AGED 49 YEARS, WORKING AS PS-II, EMPLOYEE NO. 251822, R/O 11/591, KALYAN NAGAR, SONEPAT-131001.
6. KRISHAN LAL GHAI S/O LATE SANTI LAL GHAI, AGED 51 YEARS, WORKING AS PS-II, EMPLOYEE NO. 150547, R/O 2-A, (TYPE-III), RCF COMPLEX, NEAR DELHI FLYING CLUB, NEW DELHI-110003.
7. PARAMJIT KAUR W/O SHRI BHUPINDER SINGH, AGED 49 YEARS, WORKING AS PS-II, EMPLOYEE NO. 251451, R/O WZ-595, SHIV NAGAR, GALI NO. 22, 2ND FLOOR, NEW DELHI-110058.

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8. SUREKHA JATANA D/O SHRI HARI CHAND, AGED 50 YEARS, WORKING AS PS-I, EMPLOYEE NO. 304926, R/O QTR. NO. 86-C, TYPE-IV (SPL), RCF/KAPURTHALA-144602 (PUNJAB).
9. KULVIR SINGH S/O SHRI JOGINDER SINGH, AGED 48 YEARS, WORKING AS PS-II, EMPLOYEE NO. 304998, R/O QTR. NO. 339-A, TYPE-III, RCF/KAPURTHALA-144602 (PUNJAB).
10. AVTAR SINGH S/O SHRI BHAGAT SINGH, AGED 48 YEARS, WORKING AS PS-II, EMPLOYEE NO. 101112, R/O H.NO.247, GALI NO. 6, BABA DEEP SINGH NAGAR, VILL. DHUDIANWAL, DISTT. KAPURTHALA.
11. SARUP SINGH S/O SHRI MILKHA SINGH, AGED 49 YEARS, WORKING AS PS-II, EMPLOYEE NO. 454894 R/O QTR. NO. 319-A, TYPE-III, RCF/KAPURTHALA-144602 (PUNJAB).
12. NAVNEET KAUR S/O SHRI CHARANJHIT RAI, AGED 50 YEARS, WORKING AS PS-II, EMPLOYEE NO. 351970, R/O QTR. NO. 327-A, TYPE-III, RCF/KAPURTHALA-144602 (PUNJAB).
13. KANHU CHARAN SOREN S/O SHRI SITA RAM SOREN, AGED 36 YEARS, WORKING AS PS-II, EMPLOYEE NO. 051163, R/O 745-E, TYPE-I, RCF/KAPURTHALA-144602 (PUNJAB).
14. SUSHIL KUMAR S/O SHRI RAVINDER NATH, AGED 46 YEARS, WORKING AS PS-I, EMPLOYEE NO. 150547, R/O QTR. NO. 84-D, TYPE-IV (SPL), RCF/KAPURTHALA-144602 (PUNJAB).
15. SARUP SINGH S/O SHRI BALIK RAM, AGED 49 YEARS, WORKING AS APO, EMPLOYEE NO. 251273, R/O QTR. NO. 90-D, TYPE-IV, (SPL), RCF/KAPURTHALA-144602 (PUNJAB).
16. RAMESH C. SIDHA S/O SHRI P.N. SIDHA, AGED 53 YEARS, WORKING AS PS-II, EMPLOYEE NO. 076813, R/O QTR. NO. 355-C, TYPE-III, RCF/KAPURTHALA-144602 (PUNJAB).

17. MOHAR SINGH S/O SHRI MULKH RAJ, AGED 47 YEARS, WORKING AS PS-II, EMPLOYEE NO. 454964, R/O QTR. NO. 333-A, TYPE-III, RCF/KAPURTHALA-144602 (PUNJAB).
18. VIRENDERJEET KAUR D/O SHRI RAJWANT SINGH, AGED 48 YEARS, WORKING AS PS-I, EMPLOYEE NO. 455120, R/O QTR. NO. 98-A, TYPE-IV (D/S) RCF/KAPURTHALA-144602 (PUNJAB).

By: Mr. Inderjit Kaushal, Advocate.

Applicants

Versus

1. Union of India, Ministry of Railways, Rail Bhawan, New Delhi, through its Chairman.
2. Rail Coach Factory, Kapurthala through its General Manager

By: Mr. Lakhinder Bir Singh, Advocate.

Respondents

O R D E R (ORAL)
HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

1. Learned counsel for the applicants contends, inter-alia, that the applicants are only seeking issuance of direction to the respondents to grant them benefit of decision of Madras Bench of this Tribunal in O.A.No. 658 of 2010 and grant them enhanced grade pay of Rs.4800/- and on completion of 4 years of service, Rs.5400/- from due date, with arrears thereon, for which they have already filed a representation dated 12.02.2014 (A-8).

2. Mr. Lakhinder Bir Singh, Standing Counsel for Railways present in Court, submits that the applicants have filed the

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representation on 12.2.2014 only and have rushed to this Tribunal by filing this O.A. on 1.4.2014 which is highly premature and there are no extra-ordinary circumstances which may warrant entertainment of O.A. at this pre-mature stage and the applicants were expected to have waited for a decision on their representation for a period of at least six months in terms of relevant rule formulation.

3. Faced with the scenario as to how this Original Application is maintainable when even six months' period has not expired from filing of representation dated 12.2.2014, learned counsel submits that he may be allowed to withdraw this Original Application to await the decision on his representation and pursue the remedy on departmental side.

4. The Original Application is dismissed as withdrawn with a fervent hope that the respondents would bring the consideration on representation at an expeditious pace.



(SANJEEV KAUSHIK)
MEMBER (J)



(UDAY KUMAR VARMA)
MEMBER (A)

Place: Chandigarh
Dated: 02.04.2014

HC*