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**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

Order reserved on: 15.07.2015

**ORIGINAL APPLICATION NO. of 060/00609/2014
Chandigarh, this the 17th day of July, 2015**

**CORAM: HON'BLE MS. RAJWANT SANDHU, MEMBER (A)
HON'BLE DR. BRAHM A. AGRAWAL, MEMBER (J)**

Parveen Kumar son of Shri Hari Ram, resident of New Railway Colony, Barara, District Ambala.

...APPLICANT
BY ADVOCATE: SHRI S.K. DAARIA

VERSUS

1. Union of India through Secretary to Government of India, Ministry of Railways, Baroda House, New Delhi.
2. The General Manager, Northern Railway, Baroda House, New Delhi.
3. The General Manager (Works), Northern Railway, Baroda House, New Delhi.
4. The Senior Divisional Railway Manager (Works), Northern Railway, Ambala Cantt.
5. The Senior Divisional Personnel Officer, Northern Railway, Ambala Cantt.

BY ADVOCATE: SHRI R.T.P.S. TULSI

...RESPONDENTS

ORDER**HON'BLE DR. BRAHM A. AGRAWAL, MEMBER(J):-**

The applicant, son of a retired Railway employee, seeks relief in terms of the Railways' "Liberalised Active Retirement Scheme for Guaranteed Employment for Safety Staff" (LARSGESS). The said Scheme was earlier named as "Safety Related Retirement Scheme" (SRRS) for Drivers and Gangmen.

2. We have heard the learned counsel for the parties, perused the pleadings and given our thoughtful consideration to the matter.
3. As the constitutionality of the LARSGESS is sub judice in the Hon'ble Punjab and Haryana High Court in the CWP No. 5462/2014, we think it improper to engage in consideration of the matter on merits.
4. Moreover, as rightly pointed in the reply filed on behalf of the respondents, the O.A. suffers from non-joinder of necessary party, viz., the Railway employee, who has also already superannuated on 30.09.2014, making the aforesaid Scheme inapplicable.



5. In the light of the above, the O.A. does not deserve to succeed and is, therefore, dismissed. No order as to costs.

B. A. Agarwal
(DR. BRAHM A. AGRAWAL)
MEMBER(J)

R. S.
(RAJWANT SANDHU)
MEMBER(A)

Dated: 17.07.2015
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