

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Dated: This the 02nd day of August 2018.

Misc. Deletion Application No. 330/01758/2017
In
Original Application No. 330/1271 of 2016

PRESENT:

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER -J

Dr. Mahender Singh Yadav aged about 48 years, son of
Sh. M.R. Yadav R/o H. No. 200, Inside Sainyar Gate,
Jhansi 284002.

.....Applicant

By Adv: Shri Ashish Srivastava

V E R S U S

1. Union of India through Chairman, Railway Board,
Ministry of Railway, New Delhi.
2. Joint Director Establishment, Railway Board,
Ministry of Railway, New Delhi.
3. General Manager, North Central Railway,
Headquarter, Subedarganj, Allahabad.
4. Senior Division Finance Manager, North Central
Railway, Jhansi Division, Jhansi.

..... Respondents

By Adv: Shri Sanjay Kumar Ray/
Shri R.K. Srivastava

O R D E R

Heard Shri Ashish Srivastava counsel for the
applicant and Shri Sanjay Kumar Ray counsel for the
respondents.

2. This order disposes off the application seeking the deletion of respondent No. 1 (Chairman Railway Board) from array of respondents on the ground that he is not a necessary party as no cause of action to the applicant against respondent No.1 and that the cause of action, if any, accrues against respondent No.3 (General Manager).

3. I have heard and considered the arguments of learned counsel for parties and gone through the material on record.

4. Applicant seeks direction to the respondents to calculate past service for purposes of pension and retirement benefits and fix the pay as per the OM dated 7.8.1989.

5. In view of the facts of the case, it is respondents No. 2,3 and 4 who would be competent to deal with the dispute raised by the applicant and respondent No. 1 would have no role to play and unless a specific role has been ascribed, the Chairman would not be proper and necessary party.

6. Accordingly, M.A. is disposed of and respondent No. 1 deleted from array of respondents. Necessary correction be made in the title of the application.

7. List this case on 20.09.2018.

(Rakesh Sagar Jain)
Member (J)

Manish/-