

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

This the **01st** day of **JUNE 2018**.

ORIGINAL APPLICATION NO. 330/158/2018

HON'BLE MR. GOKUL CHANDRA PATI, MEMBER (A).

1. Smt. Yashoda Devi, aged about 37 years, W/o Shri C.S. Baghel, Staff Nurse, under CMS, NCR Jhansi, R/o Nagla Pulia Radhey Wali Gali, Jagner Road, Agra.
2. Smt. Rashmi Samuel W/o Shri Shane Samuel Staff Nurse, under CMS, NCR Jhansi., H. No. 109, Idgah Road, Isai Tola, Jhansi (U.P.)
3. Harikant Sharma, S/o Deoki Nandan Staff Nurse, under CMS, NCR Jhansi R/o Vill. & Post Darupura (Mania) Mauja ka Nagla, District Dholpur (Rajasthan).
4. Iqbal Khan S/o Shri Chand Khan Staff Nurse, under CMS, NCR Jhansi, R/o Opposite Hanuman Mandir, Kailla Colony District Dholpur (Rajasthan).
5. Manvendra Singh S/o Shri Chitra Singh Staff Nurse, under CMS, NCR Jhansi, R/o Vill. Tagawali, Tehsil & District Dholpur (Rajasthan).
6. Nilay S/o Shri Amarjeet Staff Nurse, under CMS, NCR Jhansi, R/o 7/10/120 Daniram ka Purwa, Dev Kali, Distt. Faizabad (U.P.)

.....Applicants

VER S U S

1. Union of India, through General Manager, North Central Railway, Subedarganj, Allahabad.
2. Chief Medical Director, North Central Railway, GM's Building, Subedarganj, Allahabad.
3. Divisional Railway Manager, North Central Railway, Jhansi Division, Jhansi.
4. Chief Medical Superintendent, North Central Railway, Jhansi

.....Respondents

Advocate for the Applicant : Shri R.N. Joshi

Advocate for the Respondents : Shri S.M. Mishra

ORDER

Shri P K Mishra, proxy for Shri R N Joshi, learned counsel for the applicants and Shri S M Mishra, learned counsel for the respondents are present.

2. Learned counsel for the applicants submitted that a similar matter has been already been decided by the Principal Bench of this Tribunal vide order dated 10.07.2015 in OA No. 3821 of 2013, copy of which has been annexed at Annexure No. A-1 of the OA. He further submitted that the Railway Board has also issued an order dated 12.04.2018 on the similar issue.

3. Learned counsel for the applicants further submitted that the grievance of the applicants would be redressed if a direction is given to the respondents to dispose of the representation that would be filed by the applicants in the light of the order passed by Principal of this Tribunal and the order of the Railway Board.

4. Learned counsel for the respondents submitted that the respondents will have to examine the case based on the existing rules.

5. In view of the submission made by the counsel for the parties, I feel that no useful purpose will be served in keeping this OA pending.

6. Accordingly, the OA is disposed of with the direction to the applicants to submit a fresh representation to the respondents giving their justification for their claim and cite the judgement passed by the

Principal Bench of this Tribunal as well as the order of the Railway Board referred in the OA within a period of one month. The respondents on receipt of such representation shall consider the same as per rules and in the light of the documents furnished by the applicants along with the representation and pass a reasoned and speaking order within a period of two months from the date of receipt of a certified copy of this order and communicate the decision so taken to the applicants. It is made clear that I have not entered into the merits of the case. No order as to costs.

7. Let a copy of the order be given to counsel for the respondents.

(GOKUL CHANDRA PATI)
MEMBER-A

Arun..