

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00104 /2016

DATED THIS THE 14th DAY OF DECEMBER 2017

HON'BLE DR.KB.SURESH, MEMBER(J)

HON'BLE SHRI P. K. PRADHAN, MEMBER(A)

Manjunath,
S/o Lakkappa – Channabasappa
TRH TF No.03856690
SBHR Railway Station,
Mysore Division, SWR, Mysore
Res of 111/3,
Railway Quarters,
Goods Shed Road,
Arsikere Town,
Arsikere Taluk,
Hassan District.

...Applicant

(By Shri B.Veerabhadra..... Advocate)

Vs.

1.The Divisional Personnel Officer,
Mysore Division, SWR,
Mysore-570021.

2.The Sr. DOM,
Mysore Division, SWR,
Mysore.

3.The Union of India, Rep. by
The General Manager,
SWR, Hubli.

.....Respondents

(By Shri J.Bhaskar Reddy ... SCGCounsel)

ORDER (ORAL)DR.KB.SURESH MEMBER (J):

The applicant submits that even though he knows very well that the Hon'ble Apex Court had rejected the concept of Larsgess Scheme itself following the decision of the Hon'ble Punjab & Haryana High Court, the matter has been settled in hundreds of cases all over India. Still he would say that some others were appointed in the year 2012 when these matters were not even in the judicial eye and therefore, he claims parity with somebody who were appointed in 2012. Even if, he needs parity, he should have approached the court within 2014. Therefore, on that ground also OA will not lie. This seems to be frivolous and vexatious invocation of judicial process. OA is dismissed. No order as to costs.

(P. K. PRADHAN)
MEMBER(A)

(DR.KB.SURESH)
MEMBER(J)

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Annexures referred to by the applicant in OA.No.104/2016.

Annexure A-1: Safety Related Retirement Scheme – Drivers and Gangmen R.B.E. No. 4/2004.

Annexure A-2: Option.

Annexure A-3: SF 5 (Disciplinary Proceedings) dated 10.11.2013.

Annexure A-4: Impugned letter No.Y/P530/1/TFR to OD dt 29/05/2013.

Annexure A-5: Medical Examination on 06.06.2013.

Annexure A-6: Representation dated 10.10.2014.

Annexure A-7: Representation dated 21/07/2005.

Annexures referred to by the respondents in the Reply Statement

Annexure R-1: Copy of RBE No. 103/87.

Annexure R-2: Copy of Part-F, Non-Gazetted, Sl.No. 32 of SOP.

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