

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

**O. A. No.60/1394/2017
M.A. No.60/271/2018**

Date of decision: 23.08.2018

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**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MRS. AJANTA DAYALAN, MEMBER (A).**

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1. Ajmer Singh, son of Amar Singh, age 65 years, resident of Village Alipur Arian Tehsil and Distt. Patiala. Group C.
2. Lakhwinder Singh S/o Ajmer Singh, 37 years, Resident of Village Alipur Arian and Distt. Patiala. Group C.

... APPLICANTS

VERSUS

1. Ministry of Railway, through its General Manager, Northern Railways, Baroda House, New Delhi.
2. Chief Administrative Officer, Diesel Loco Modernization Works (CAO, DMW for short), Patiala.

... RESPONDENTS

PRESENT: Sh. Tejwinder Singh Hundal, counsel for the applicants.
Sh. G.S. Sathi, counsel for the respondents.

ORDER (Oral)

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SANJEEV KAUSHIK, MEMBER (J):-

1. In the present O.A. filed by the applicant u/s 19 of Administrative Tribunals Act, 1985, he seeks following relief(s):

"8. It is, therefore, respectfully prayed that the Original Application may kindly be accepted and impugned order dated 6.9.2016 be quashed/set aside and the respondents may kindly be directed to give appointment to applicant no.2 i.e. Lakhwinder Singh with regard to substitution the name of expired son of applicant No.1 i.e. Sh. Balwinder Singh or alternatively any other member of the family by offering appointment under the Scheme."
2. On the commencement of hearing, learned counsel for the applicants fairly submitted that claim of applicant no.2 for appointment, in lieu of acquisition of land, may be considered.

3. After exchange of pleadings, matter came up for hearing. Learned counsel for respondents fairly submitted that in terms of letter dated 06.09.2016 (Annexure A-1), they have already referred the case of the applicant for appointment in lieu of acquisition of land to Railway Board and have not received any communication from them. Therefore, he submitted that this case may be disposed of with a direction to Railway Board to decide the claim of the applicant no.2 for appointment, at an early date.
4. Learned counsel for the applicants submitted that since their land was acquired in the year 1981, acquisition award was given on 04.09.1987, therefore, the respondents may be directed to grant appointment to applicant No.2 within one month by taking a decision on his claim for appointment as forwarded to Railway Board.
5. Considering that Railway Board has not taken any decision on pending claim of applicant No.2, we direct the said authority to decide his claim by passing a reasoned and speaking order, within a period of one month from the date of receipt of a certified copy of this order, which be duly communicated to him.
6. The O.A. stands disposed of in the above terms. Connected M.A. also stands disposed of accordingly. No costs.

(AJANTA DAYALAN)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 23.08.2018.
Place: Chandigarh.

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