

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/01142/2017

Jabalpur, this Tuesday, the 27th day of March, 2018

HON'BLE SHRI NAVIN TANDON, ADMINISTRATIVE MEMBER
HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER

1. Bahadur Singh H.
 S/o Heera Singh,
 Locopilot Mail,
 Aged about 58 years 6 months,
 Resident of G.G.Road,
 Infront of Balaji Hospital,
 Adesh Nagar,
 Guna (M.P.), Pin

2. Shubham Singh Rajput,
 S/o Bahadur Singh H.
 Aged about 22 years 6 months,
 Resident of Balaji Hospital,
 Adesh Nagar,
 Guna (M.P.), Pin

-Applicants

(By Advocate –Shri M.N.Banerjee)

V e r s u s

1.Union of India,
 through the General Manager,
 West Central Railway,
 Near Indira Market,
 Jabalpur (M.P.), Pin-482001

2. Divisional Railway Manager,
 Bhopal Division,
 West Central Railway,
 Habibganj Railway Station,
 Bhopal (M.P.)

- Respondents

(By Advocate –Shri A.S.Raizada)

O R D E R (ORAL)**By Navin Tandon, AM**

Misc. Application No. 200/00974/2017 has been filed for jointly prosecuting the case.

2. Learned counsel for the applicants submitted that since the cause of action of both the applicants is same, they may be allowed to jointly prosecute this case.

3. Accordingly Misc. Application No. 200/00974/2017 is allowed. Applicants are permitted to jointly prosecute their case.

4. Misc. Application No.200/377/2018 has been filed by the applicants seeking condonation of delay.

5. This Original Application has been filed seeking appointment under LARSGESS, which has been rejected by the respondents vide order dated 10.09.2015 (Annexure A-1).

6. Shri A.S. Raizada, learned Standing counsel appearing on advance notice for the respondents submitted that in view of the decision by Hon'ble High Court of Punjab and Haryana in case of Kala Singh and Ors. vs. Union of India and Ors., Railway Board vide E(P&A) 1-2015/RT-43 dated 27.10.2017 has put the LARSGESS Scheme on hold.

7. The plea of the applicant is that his case pertains to the period when the order of Hon'ble High Court with regard to revisiting the scheme had not been pronounced.

8. Learned counsel for the applicant further states that he may be permitted to withdraw this Original Application with liberty to file it afresh as and when the cause of action arises and that on subsequent occasion he may not be debarred by limitation.

9. Considering all the facts of this case, the applicant is permitted to withdraw this Original Application with liberty to file a fresh Original Application as and when cause of action arises. However, the question of limitation at that time will be examined after excluding the period between date of filing of this Original Application and the date of occurrence of fresh cause of action.

10. The Original Application is accordingly disposed of as withdrawn with liberty as aforesaid.

(Ramesh Singh Thakur)
Judicial Member

(Navin Tandon)
Administrative Member

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