

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW**

Original Application No. 332/00028/2011

This the 13th day of February, 2019

Hon'ble Ms. Jasmine Ahmed, Member - J

Hon'ble Mr. Devendra Chaudhry, Member - A

1. Raj Deo Singh aged about 46 years s/o Sri Chhotken Singh, r/o Imalia Gurdaspur, Bypass road, Distt. Gonda, posted as Mobile Booking clerk at Lucknow Junction North Eastern Railway, Charbagh, Lucknow.

2. Hridya Nand Singh aged about 46 years son of Late V.D. Singh, r/o Q.No. T/69-A, Railway Station Colony, Gonda, U.P. posted as Mobile Booking Clerk at Colonelganj (Karnailganj) North Eastern Railway, Gonda.

3. Shiv Sagar aged about 35 years son of Sri Mangal Prasad, r/o Badagaon, Distt- Gonda posted as Mobile Booking Clerk at Parcel Office North Eastern Railway, Gonda.

..... Applicants

By Advocate: Sri G.C Verma.

VERSUS

1. Union of India through its General Manager, North Eastern Railway, Gorakhpur.

2. Senior Divisional Railway Manager (Commercial), North Eastern Railway, Ashok Marg, Lucknow.

3. Divisional Rail Manager (Commercial), North Eastern Railway, Ashok Marg, Lucknow

4. ACM, North Eastern Railway, Lucknow.

..... Respondents

By Advocate: Sri Rajendra Singh

ORDER (ORAL)

Delivered by: Hon'ble Ms. Jasmine Ahmed, Member - J

It is the contention of the Learned counsel for the applicant that initially the instant O.A was filed by three applicants namely Raj Deo Singh, Hridya Nand Singh and Shiv Sagar with common prayer. But vide order dated 04.01.2012, Joint application was not pressed and Court gave direction to file individual O.A. Accordingly, Hridya Nand Singh who was applicant No. 2 in the instant O.A filed fresh O.A NO. 46/2011 and Shiv Sagar who was applicant No. 3, filed O.A No. 30/2011. It is seen that both the O.As have been allowed by this Tribunal vide order dated 28.10.2014. The operative portion of order dated 28.10.2014 is quoted as under:

“13. Accordingly, the O.A is allowed. The impugned orders dated 2.1.2002, 1.3.2002 and 15.12.2009 and the charge sheet dated 23.11.2001 issued by the respondents as contained in Annexure No. A-1, A-2, A-3 and A-4 to this O.A are quashed. No order as to costs.”

2. Similar order was also passed in O.A No. 46 of 2011. It is seen that in the instant O.A also the prayer of the applicant is same praying quashing of impugned order dated 02.01.2002, 01.03.2002 and 14.09.2009 and the charge sheet dated 23.11.2001.

3. Accordingly, following the judicial decorum and also following the precedent, the instant O.A is allowed in above terms.

4. Hence, the impugned orders dated 02.01.2002, 01.03.2002 & 14.09.2009 and the charge sheet dated 23.11.2001 issued by the respondents are quashed. No order as to costs.

(Devendra Chaudhry)
Member (A)

Jasmine Ahmed)
Member (J)

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