

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW**

Original Application No. 332/00221/2018

This the 08th day of March, 2019

Hon'ble Ms. Jasmine Ahmed, Member - I

1. Raj, aged about 58 years, son of late Ahmed, R/o 115/59-60, Bagh Munnu, Kaiserbagh, Lucknow.

2. Mohammed Shekhu, aged about 29 years, son of Shri Raj, R/o 115/59-60, Bagh Munnu, Kaiserbagh, Lucknow.

.....Applicants

By Advocate: Sri Raj Singh

VERSUS

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi.

2. The Divisional Railway Manager, Northern Railway, Lucknow Division, Lucknow.

3. The Senior Divisional Personnel Officer, Northern Railway, Lucknow Division, Lucknow.

4. The Depot Manager (C&W), Northern Railway, Lucknow Division, Charbagh, Lucknow.

..... Respondents

By Advocate: Ms. Prayagmati Gupta

ORDER (ORAL)

Learned counsel for the petitioner has submitted that the case of the applicant was rejected because documents submitted by the applicant were not traceable by the respondents and accordingly no appointment could have been given to the applicant under LARSGESS Scheme.

2. Learned counsel for the petitioner has submitted that the Railway Board has in-fact revisited the policy as per the direction of the Hon'ble Apex Court and issued a fresh circular on LARSGESS Scheme bearing No. E(P&A)I-2015/RT-43 dated 26.09.2018 on the following terms:

"In compliance with the above directions Ministry of Railways have revisited the scheme duly obtained legal opinion and consulted Ministry of Law and Justice. Accordingly, it has been decided to terminate the LARSGESS Scheme w.e.f. 27.10.2017 i.e. the date from which it was put on hold. No further appointments should be made

under the Scheme except in case where employees have already retired under the LARSGESS Scheme before 27.10.2017 (but not normally superannuated) and their wards could not be appointed due to scheme having been put on hold in terms of Board's letter dated 27.10.2017 though they had successfully completed the entire process and were found medically fit. All such appointments should be made with the approval of the competent authority."

3. Learned counsel for the applicant states that submission of documents was before the cut-off date as decided by Railway Board i.e. 27.10.2017. Hence, his case is also covered by the judgement of Hon'ble High Court of Rajasthan adjudicated at Jaipur Bench in civil writ No. 12610/2018.

4. It has also been pressed by the learned counsel for the applicant that in pursuance of the Railway Board circular dated 26.09.2018 and the decision taken thereon by other Benches of this Tribunal all the matters pertaining to LARSGESS Scheme can be disposed of by directing the applicant to prefer fresh representation before the respondents.

5. In pursuance of that and taking into consideration and following the judicial decorum the O.A is disposed of directing the applicant to prefer a detail fresh representation to the respondents which the respondents shall decide within three months by passing a detailed, reasoned and speaking order under intimation to the applicant from the date of receipt of certified copy of this order.

6. With the above observations and direction, O.A stands disposed of. There shall be no order as to costs.

(Jasmine Ahmed)
Member (J)

RK