

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

OA NO.3156/2016

New Delhi this the 16th day of January, 2019

**HON'BLE MS. NITA CHOWDHURY, MEMBER (A)
HON'BLE MR. S.N. TERDAL, MEMBER (J)**

Jora Singh, aged 57 years,
S/o Shri Dharam Singh,
Working as Gangman (Trackman), under
Sr. Section Engineer, Bhadurgarh,
R/o H.No.31/1197 Sant Kabir Basti,
Bhadurgarh, Distt. Jhajjar(Har.). ...Applicant

(By advocate: Mr. Yogesh Sharma)

Versus

1. Union of India
Through the General Manager,
Northern Railway, Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway, Delhi Division,
State Entry Road, New Delhi.
3. The Divisional Personal Officer,
DRM's office, Northern Railway,
Delhi Division, State Entry Road,
New Delhi.Respondents

(By advocate: Mr. SM Arif)

ORDER (Oral)

By Ms. Nita Chowdhury, Hon'ble Member (A):

The applicant has filed this Original Application, seeking the following reliefs:-

- (i) That the Hon'ble Tribunal may graciously be pleased to pass an order declaring to the effect that the whole action of the respondents not considered and not accepting the request of the applicant for his Vol. Retirement under the Liberalized Active Retirement Scheme for Guaranteed Employee for Safety Staff (LARSGESS) on totally wrong and baseless reason is totally illegal, arbitrary, against the scheme and discriminatory and consequently, pass an order directing the respondents to consider the case of the applicant for extending the benefit of Liberalized Active Retirement Scheme for Guaranteed Employee for Safety Staff (LARSGESS) and consider the son of the applicant for his appointment without any further delay.
- (ii) That the Hon'ble Tribunal may graciously be pleased to pass an order declaring to the effect that the applicant was regularized w.e.f. 19.12.1986 after screening and consequently he is entitled all the consequential benefits as per rules.
- (iii) That for any reasons in case of not granting the above prayed relief (ii), the Hon'ble Tribunal may graciously be pleased to pass an order directing the respondents to declare the result of the screening of the year 1986 and consider the regularization of the applicant w.e.f. 19.12.1986 i.e. the date of regularization of junior and similarly situated persons from the same screening with all consequential benefits.

(iv) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicants along with the costs of litigation.”

2. As the LARSGESS Scheme is no longer in operation since 2017 as per the decision of the Railway Board dated 26.09.2018, the applicant cannot be given any benefit of the same.

3. As regards the prayer (ii) and (iii) of the applicant, the respondents are directed to declare the result of the screening that has been stated by the applicant to have been carried out by the respondents in the year 1986 with regard to his regularization and if any such order has been passed by the respondents, they are directed to give him any benefits due within a period of 90 days from the date of receipt of a copy of this order. A copy of this OA be also provided to the respondents in which the applicant has clearly stated the date of regularization of his junior and other similarly situated persons from the same screening.

4. With the above directions, the OA stands disposed of. No costs.

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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