

(OPEN COURT)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD

This is the **26TH** day of **SEPTEMBER, 2019**.

ORIGINAL APPLICATION NO. 330/1018/2019

HON'BLE MS AJANTA DAYALAN, MEMBER (A).
HON'BLE MR RAKESH SAGAR JAIN, MEMBER (J)

1. Manmohan Sharma Son of Prem Dutta Sharma aged about 58 years Resident of Vimla Nagar, Khurja Junction near Mall Garden, Bulanshahar.

.....Applicant.

VERSUS

1. Union of India through General manager, North Central Railway, Subedarganj, Allahabad.
2. Divisional Railway manager, North Central Railway, Allahabad Division, Nawab Yusuf Road Allahabad.
3. Senior Divisional Personnel Officer, North Central Railway, Allahabad Division, Nawab Yusuf Road, Allahabad.

.....Respondents

Advocate for the Applicant : Shri A K Srivastava

Advocate for the Respondents : Shri Shesh Mani Mishra

O R D E R

(Delivered by Hon'ble Ms Ajanta Dayalan, Member (A)

Heard Shri A K Srivastava, learned counsel for the applicant and Shri Shesh Mani Mishra, learned counsel for the respondents.

2. Learned counsel for the applicant stated that the applicant is seeking benefit of seniority as similarly placed persons have already been granted the benefit He has relied upon the order dated 30.04.2004 passed by CAT, Principal Bench in OA No. 558 of 2002. For the similar relief, OA No. 375 of 2017, OA No. 1595 of 2011 and OA No. 119 of 2016 have also been disposed of by this Tribunal. He pleads that the applicant is also similarly situated to the applicants of OA No. 119 of 2016 and OA No. 1595 of 2011 and is also entitled to the same benefit.

3. Learned counsel for the applicant further states that the applicant made a representation dated 02.05.2018 (Annexure No A-7 to the OA) in this regard which is still pending with the Department. He stated that the limited prayer at this point of time is that directions be issued to the respondents department to decide the representation in the light of order dated 30.04.2004 passed by Principal Bench of this Tribunal in OA No. 558 of 2002, decisions taken in OA No. 375 of 2017, OA No. 1595 of 2011 and OA No. 119 of 2016 in a time bound manner.

4. Learned counsel for the respondents has no objection to this limited prayer made by the counsel for the applicant.

5. In view of the limited prayer made by the counsel for the applicant and no objection from the respondents counsel, we direct the competent authority amongst the respondents to take a decision on the representation dated 02.05.2018 (Annexure No. A-7 to the OA) keeping in view order dated 30.04.2004 passed by Principal Bench of this Tribunal in OA No. 558 of 2002, decisions taken in OA No. 375 of 2017, OA No. 1595 of 2011 and OA No. 119 of 2016 as well as rules & regulations and other relevant factors, by passing a reasoned and speaking order within a period of three months from the date of receipt of certified copy of this order.

6. Needless to mention that we have not expressed any opinion on the merits of the case or otherwise.

7. Accordingly, with the above direction the OA is disposed of.

**(RAKESH SAGAR JAIN)
MEMBER-J**

Arun..

**(AJANTA DAYALAN)
MEMBER-A**