

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.061/01007/2019
Chandigarh, this the 23rd day of September, 2019

...
CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MR. A.K. BISHNOI, MEMBER (A)

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Madhu Bala, age about 60 ½ years,, d/o Late Sh. Kartar Chand, W/o Sh. Ramesh Chander, Retired Mobile Booking Clerk, Railway Station, Northern Railway, Jammu Tawi, r/o House No. 82, Friends Colony, 1-A, Extension, Trikuta Nagar, Jammu – 180012 (Group C)

....Applicant

(Present: Mr. Barjesh Mittal, Advocate)

Versus

1. Union of India through General Manager (P), Northern Railway, Headquarter Office, Baroda House, New Delhi – 110001.
2. Divisional Railway Manager, Northern Railway, Ferozepur Division, Ferozepur Cantt – 152002.
3. Senior Divisional Commercial Manager, Northern Railway, Ferozepur Divison, Ferozepur Cantt – 152002.
4. Senior Divisional Personnel Officer, Northern Railway, Ferozepur Division, Ferozepur Cantt – 152002.

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Respondents

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. The present O.A. has been filed by the applicant seeking issuance of a direction to the respondents to consider her case for deemed regularization from due date i.e. 01.04.2006, as per the appointment letter (Annexure A-2) and Railway Board/policy dated 21.04.1992 and 06.02.1990 (Annexure A-1), and grant the admissible benefit of 1st ACP w.e.f. 01.04.2008 in the grade pay of Rs.2400/- and 2nd MACP w.e.f. 01.04.2016 in grade pay of Rs.2800/-.

2. Learned counsel submitted that the order of reversion of the applicant was set aside by this Court vide order dated 05.10.2018 (Annexure A-6) in O.A. No. 060/00635/2017 filed by the applicant holding her entitled for all the consequential benefits. The CWP (No. 24993/2019) filed by the respondents against that order has recently been dismissed vide order dated 09.09.2019 by the Hon'ble Jurisdictional High Court. He prayed that a direction to be issued to the respondents to grant the relevant benefits to the applicant. He admitted that the representation dated 06.11.2018 (Annexure A-9) was filed after the allowance of the O.A. on 05.10.2018.

3. Considering the fact that the Writ Petition has been dismissed recently on 09.09.2019, we are of the view that the respondents be given a breathing time to re-consider the claim of the applicant in view of the order passed by the Hon'ble High Court. This O.A., at this stage, is therefore premature and is disposed of as such. No costs.

(A.K. BISHNOI)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 23.09.2019

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