

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW**

**Original Application No. 332/00125/2019
This the 17th day of May, 2019**

Hon'ble Ms. Jasmine Ahmed, Member - J

Dwarika Prasad Tiwari, aged about 58 years, son of- Late Shri Param Hans Tiwari, Resident of- Village- Tedhina Mauza Mande, Post- Bahlolpur, District- Gonda.

.....Applicant

By Advocate: Sri Praveen Kumar

VERSUS

1. **UNION OF INDIA** through the General Manager, North Eastern Railway, Gorakhpur.
2. The Divisional Railway Manager, North Eastern Railway, Ashok Marg, Lucknow.
3. The Senior Divisional Personnel Officer, North Eastern Railway, Ashok Marg, Lucknow.

..... Respondents

By Advocate: Sri B.B. Tripathi

ORDER (ORAL)

At the very outset, learned counsel for the applicant states that this matter can be disposed of in the light of the judgement passed by this Tribunal in O.A No. 95/2014 (Babu Lal & Ors Vs UoI & Ors.). Accordingly, the O.A is being disposed of in the light of the judgement passed in O.A No. 95 of 2014.

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. 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.

4. 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.

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

(Jasmine Ahmed)
Member (J)

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