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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. NO. 846/2003
M.A. NO. 709/2003

Thrusday, this 8th day of January, 2004

Hon'ble Shri Kuldip Singh, Member (J)
Hon'ble Shri S.A. Singh, Member (A)

1. All India Scheduled Castes & Scheduled Tribes Rly. Employees Association Moradabad Division, Opp. Railway Station, Moradabad. through its Divisional Secretary, Sh. Nankoo Lal.
2. Kishan Lal-III.
3. Sher Singh-II
4. Jai Pal Singh-II
5. Raj Pal Singh
6. Mahabir Prasad
7. Shri Pal
8. Sita Ram
9. Surinder Kumar-II
10. Som Pal Singh

All are working as Driver 'Passenger'
N.Rly. Moradabad.

(By Advocate: Sh. Yogesh Sharma)

VERSUS

1. Union of India through
The General Manager,
Northern Railway,
Baroda House, New Delhi.
2. The Divisional Railway Manager,
Northern Railway,
Moradabad Division,
Moradabad.

.. Respondents.

(By Advocate: Sh. R.L. Dhawan)

O R D E R (ORAL)

By Shri Kuldip Singh, Member (J)

Heard counsel for the parties..

2. Applicant No.1 is the All India S.C. and S.T. Railway Employees Association Moradabad Division and Applicants No. 2 to 10 are working as Driver Passengers, Northern Railway, Moradabad who have filed this OA seeking implementation of the order of Railway Board's circular dated 21.11.2002.

Kue


(2)

3. Learned counsel for applicant submits that this circular has been implemented in all the Divisions except Moradabad Division. Recently G.M. Northern Railway has written a letter to DRM, Moradabad Division, a copy of the same has been placed on record, wherein DRM, Moradabad Division has been asked to give compliance report regarding action taken with regard to the implementation of the circular dated 21.11.2002.

4. Learned counsel for respondents submits that respondents have some difficulty in implementing the order as because a Contempt Petition bearing No.199/2002 has been filed before the Allahabad Bench in OA 301/1998 and the respondents will implement the order only after the decision of the Allahabad Bench of the Tribunal is available.

5. We have given our anxious consideration to the rival contentions raised by the learned counsel for the parties.

6. CP No.199/2002 is totally on a different point and as such there is ~~no~~^{no} hurdle ~~in~~ⁱⁿ implementing the order passed in OA. Accordingly, respondents are directed to implement the order passed by the GM/^{NRA}(Annexure A/1). However, it may be subject to any judgement pending decision on the same issue.


(S.A. Singh)
Member (A)


(Kuldip Singh)
Member (J)