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CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH

OA 1710/2003

New Delhi, this the 21st day of April, 2004

Hon'ble Sh. Sarweshwar Jha, Member (A)

1. Shri Gopal Lal, Gangman
S/o Shri Bhajan Sahai,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
2. Shri Hari Singh, Gangman
S/o Shri Raj Singh,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
3. Shri Bansi Lal, Helper Khallasi,
S/o Shri Behari Lal,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
4. Shri Dukhi Ram, Helper Khallasi,
S/o Shri Ram Garib,
Office of SSE/ACC,
Northern Railway,
Delhi Junction,
Delhi.
5. Shri Mani Ram, Trolleyman,
S/o Shri Ram Ajore,
Office of PWI,
Northern Railway,
Sultan Pur.
6. Shri Gama Prasad, Gangman
S/o Shri Dina Nath Parshad,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
7. Shri Ram Chandran, Gangman,
S/o Shri Perva Swami,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
8. Shri Hari, Black Smith.
S/o Shri Bhoora
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.

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9. Shri Chhottoom, Gangman,
S/o Shri Nanda
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
10. Shri Ram Nath, Carpenter Khallasi,
S/o Shri Poojan,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
11. Shri Prabhoo, Gangman,
S/o Shri Ram Nath,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
12. Shri Bishan Dev, Gangman,
S/o Shri Ram Deen,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
13. Shri Ram Dhani, Khallasi,
S/o Shri Gaya Deen,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
14. Shri Bhagirath, Gangman
S/o Shri Bhairoo,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
15. Shri Ashok Kumar, Gangman
S/o Shri Mehar Singh,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
16. Shri Nawal, Gangman,
S/o Shri Tirath Raj,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
17. Shri Ram Chander, Driver,
S/o Shri Ladoo,
Office of SSE/C&W/Chg.
Northern Railway,
New Delhi.

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18. Shri Shiv Pal, Gangman,
S/o Shri Umaroo,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
19. Shri Ayodhya Parshad, Gangman,
S/o Shri Sukhan,
Office of CPWI,
Northern Railway,
New Delhi.
20. Shri Bahadur, Gangman,
S/o Shri Kandhai,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
21. Shri Muneshwar, Gangman,
S/o Shri Chaturi,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
22. Shri Ram Narain, Gangman,
S/o Shri Mishri Lal,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
23. Shri Babu Lal, Pointsman
S/o Shri Kandhai,
Office of Station Supdt.
Delhi Junction,
Delhi.
24. Shri Mool Chand, Gangman,
S/o Shri Chuna Ram,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.
25. Shri Manzoor Singh, Fitter,
S/o Shri Rameshwar,
Office of CWS,
Northern Railway,
New Delhi.
26. Shri Satish Chander, Gangman,
S/o Shri Dori Lal,
Office of CPWI,
Northern Railway,
State Entry Road,
New Delhi.

A handwritten signature in black ink, appearing to read "P.M.", is written over a horizontal line.

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...Applicants.

(By Advocate Sh. P.S.Mahendru)

V E R S U S

Union of India through

1. The General Manager,
Northern Railway,
Baroda House,
New Delhi-110001.
2. The Divisional Railway Manager,
Northern Railway,
State Entry Road,
New Delhi.

...Respondents

(By Advocate Sh. Ravinder Sharma
for Sh. R.P.Agarwal)

O R D E R (ORAL)

Shri Sarweshwar Jha.

On perusal of the orders given on different dates, it is observed that a number of adjournments have been granted in the past to the respondents to file their reply. It is also observed that adjournment by way of last chance also has been given and the case is listed today for admission. However, the reply of the respondents has not been filed till date.

2. At this stage, 1d. counsel for the applicant has submitted that this case is squarely covered under the decisions given by this Tribunal in OA 2559/2000, MA 3009/2000 in which 30 applicants had sought similar relief. In the present case, all the applicants have been granted temporary status and who have sought difference of pay, HRA, CCA & DA etc. being paid to them consequent to refixation of their pay after taking into consideration the pay and allowances already drawn by them. On perusal of the orders as given by the Tribunal in OA 2559/2000 as on 7-9-2001, it is observed that the reliefs sought included payment of difference of HRA, CCA, DA etc. and the Tribunal had

Jawshwar Jha

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directed the respondents to consider and pay the benefits as prayed for by the applicants in the said OA at par with regular employees in accordance with rules. It is thus observed that, in the absence of any reply having been filed by the respondents, this OA can be disposed of only with directions to the respondents to examine and verify whether the cases of the applicants are similarly placed as the cases of the applicants in OA 2559/2000 with reference to the service records etc. in respect of the applicants in this OA and, if it is found that their cases are similarly placed, to consider extending the same benefits to these applicants.

 3. This OA is accordingly disposed of with directions to the respondents to carry out necessary examination and verification of the matter as observed above and to dispose of the matter keeping in view the outcome of the said verification/examination with reference to the orders as passed by this Tribunal in OA 2559/2000 and MA 3009/2000 within a period of three months from the date of receipt of a copy of this order.


(Sarweshwar Jha)
Member (A)

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