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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

...
OA No. 2990/2003
MA No. 2600/2003

New Delhi, this the 11th day of December, 2003

Hon'ble Shri Justice V.S. Aggarwal Chairman
Hon'ble Shri S.A. Singh, Member (J)

1. Shri Raj Kumar s/o Shri Bhim Singh
2. Shri Hari Shanker Shukla s/o Sh. Hari Har Shukla
3. Shri Vinod Kumar s/o Shri Tulsi Ram
4. Shri Surjee s/o Shri Umrao
5. Shri Ram Bhagat s/o Shri Chhotu Ram,
6. Shri Roshan Lal s/o Shri Raja Ram,
7. Shri Son Pal s/o Shri Raghbir
8. Shri Sat Pal s/o Shri Ant Ram
9. Shri Ram Naresh s/o Sh. Chunni Lal
10. Shri Jitender Kumar s/o Sh. Chanda Singh
11. Shri Baljit s/o Shri Mauji Ram
12. Shri Mohan Lal-I s/o Shri Ram Kishan
13. Shri Mohan Lal-II s/o Sh. Harish Chander
14. Shri Bhim Sain s/o Shri Babu Ram
15. Shri Ram Rattan s/o Sh. Ram Kishan
16. Shri Dharam Bir s/o Sh. Shiv Charan
17. Shri Dev Nath s/o Sh. Bhagwan Dass
18. Shri Basu Dev s/o Sh. Ram Singh
19. Shri Puran Ram s/o Sh. Pancham Ram
20. Shri Jagdish s/o Shri Ram Kala
(All working as Box Porters under Station Manager, Northern Railway, Delhi Main Railway Station, Delhi - 6 on the Delhi Division of Northern Railway, New Delhi.)

...Applicants

(By Advocate: Sh. R.K. Shukla)

Versus

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi - 110 001.
2. The Chief Personnel Officer, Northern Railway, Baroda House, New Delhi - 110 001.
3. The Divisional Railway Manager, Northern Railway, State Entry Road, New Delhi.
4. The Station Manager, Delhi, Northern Railway, Delhi Railway Station, Delhi - 110 006.

...Respondents

(By Advocate: None)

ORDER (ORAL)

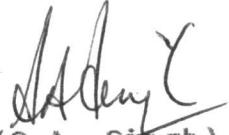
Justice V.S. Aggarwal, Chairman -

Earlier the applicants had preferred OA No. 455/2002 which came up for hearing on 5.3.2003 and was disposed of as per statement of applicants' learned counsel. The said order reads:

"Learned counsel for the applicants states that he may be permitted to withdraw the present application but he should be allowed to approach the Labour Court or the authorities dealing with the Labour Laws.

Allowed as prayed. Subject to aforesaid, dismissed as withdrawn. Nothing said herein is an expression of opinion on the merits of the matter."

2. The applicants contend that they had approached the Union but no action has been taken and, therefore, have filed the fresh application. It is patent from the earlier order that the applicants had withdrawn the petition with liberty to approach the Labour Court or the Authorities dealing with the Labour Laws. As the applicants had not done so, the fresh petition in any case is not maintainable. Therefore, it must fail and is dismissed.


(S.A. Singh)
Member (A)


(V.S. Aggarwal)
Chairman

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