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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

C.P. NO.402/2004
in
O.A. NO.2431/2003
&
R.A. NO.308/2004
M.A. NO.2392/2004
in
O.A. NO.2431/2003

This the 2nd day of August, 2005.

HON'BLE SHRI V. K. MAJOTRA, VICE-CHAIRMAN (A)

HON'BLE SHRI SHANKER RAJU, MEMBER (J)

1. Shekhar Suman S/O Ram Chandra Mahto,
C/O K.N.Gupta, M.I.G. Flats,
Room No.488, Gokalpuri,
Delhi-93.
2. Laxman Kumar S/O Dwarica Mahto,
M.I.G. Flats, Room No.488,
Gokalpuri, Delhi-93. Applicants

(By Shri Prakash Chandra, Advocate)

versus

R.R.Jaruhar,
General Manager,
Northern Railway, HQ. Office,
Baroda House, New Delhi. Respondent

O R D E R (ORAL)

Hon'ble Shri V.K.Majotra, Vice-Chairman (A):

R.A. NO.308/2004

Vide order dated 6.7.2004 OA No.2431/2003 was disposed of with the following observations/directions:

“3. We have considered the contentions made on behalf of the parties herein. Respondent No.1 cannot escape the responsibility of assisting these applicants in completing their course even though they have failed. That is the spirit of clause 8.6 of the scheme. In case a particular school has withdrawn from the operation of the scheme, it is foremost duty of the

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Railways to provide the facility to these applicants to complete their course in some other school even though it may fall in some other Railway zone. The learned counsel of applicants expressed that applicants will not have any objection to pursuing the vocational course under the scheme anywhere else than the present school.

4. In view of the fact that applicants have spent a year in pursuit of the vocational course in Railway Commercial under the scheme Annexure A-6, and in the interest of justice, respondent No.1 is directed to make necessary arrangements for completion of the vocational course in Railway Commercial under the said scheme for these applicants in any school in any Railway zone. This benefit should be given to these applicants for admission in class XI for the session 2004-2005.

The OA is disposed of in the above terms. No costs."

2. Through this application respondents in the OA have sought review of the aforesaid orders stating that VCRC on NE, NE, Western and Southern Railways were discontinued long back. No VCRC course is in existence at present. Thus, it is not feasible to re-admit applicants in any school as there is no such school where such a course is being conducted. The learned counsel of applicants in review application stated that applicants in the OA having failed in class XI examination cannot repeat class XI in SBBM Government Sarvodaya Vidyalaya, Delhi as the same has discontinued functioning under the scheme. However, applicants in the OA could pursue class XI general course in any school at the expense of respondents in the OA. Applicants in the OA could seek admission in class XI in any school and their expenses would be reimbursed by respondents in the OA.

3. Looking to the practical aspect of the matter, the learned counsel of applicants in the OA agreed that applicants would seek admission in class XI in a school of their choice and obtain reimbursement of expenses from respondents in the OA.

4. While the delay in filing the review application is condoned, the directions in Tribunal's orders dated 6.7.2004 are modified as follows:



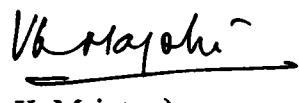
“Applicants may pursue class XI and class XII courses for the sessions 2005-06 and 2006-07 respectively in any school and obtain reimbursement of the expenses from respondent No.1 in the OA.”

C.P. No.402/2004

In the light of the RA having been allowed as above, this CP is disposed of accordingly and notices to respondents are discharged.


(Shanker Raju)

Member (J)


(V. K. Majotra)
Vice-Chairman (A)

3.8.05

/as/