

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

**Original Application No.020/0563/2019
Date of Order : 03.07.2019**

Between :

S.Shahabaz Khan, S/o S.Sher Khan,
Aged about 26 years, Occ : Unemployee,
R/o H.No.6-1049-A, Bhagyanagar, T.B.Road,
Guntakal, Anantapur District-515801. ... Applicant.

And

1. Union of India, rep. by its General Manager,
South Central Railway, HQ Office,
Personnel Branch, Secunderabad.
2. The Chief Personnel Officer, South Central Railway,
4th Floor, Rail Nilayam, Secunderabad, Telangana State.
3. The Divisional Railway Manager,
South Central Railway, Vijayawada Division,
Vijayawada, Andhra Pradesh State.
4. The Senior Divisional Personnel Officer,
Divisional Office, Personal Branch,
Guntakal, Anantapur District,
Andhra Pradesh State. ... Respondents.

Counsel for the Applicant ... Mr.G.Jayaprakash Babu, Advocate
Counsel for the Respondents ... Mr.M.Venkateswarlu, S.C.for Rlys.

CORAM:

Hon'ble Mr.A.K.Patnaik ... ***Member (Judl.)***
Hon'ble Mr.B.V.Sudhakar ... ***Member (Admn.)***

ORAL ORDER

Mr.A.K.Patnaik, Judicial Member

Heard Mr.G.Jayaprakash Babu, learned counsel for the applicant and Mr.M.Venkateswarlu, learned standing counsel for the respondents.

2. This OA has been filed under Section 19 of the Administrative Tribunals Act, 1985 praying for the following reliefs :

“(i) To declare the action of the respondents in not appointing the applicant to the post of Assistant Loco Pilot despite the approval of the General Manager on 13.03.2015 is illegal, arbitrary and violative of Article 14, 16 and 21 of the Constitution of India;

(ii)Consequently, direct the respondents to appoint the applicant to the post of Assistant Loco Pilot under LARSGESS Scheme in terms of the approval of the General Manager on 13.03.2015.”

3. Learned counsel for the applicant has submitted that the respondents have confirmed and approved his appointment, but they have not issued order till date. The applicant has filed representation dated 21.01.2019 (Anx-A-16), for which no response has been received from the respondents.

4. The law is well settled in the case of **S.S.Rathore-Vrs-State of Madhya Pradesh, AIR1990 SC Page 10 / 1990 SCC (L&S) Page 50** (para 17) in which it has been held as under:

“17.Redressal of grievances in the hands of the departmental authorities take an unduly long time. That is so on account of the fact that no attention is ordinarily bestowed over these matters and they are not considered to be governmental business of substance. This approach has to be deprecated and authorities on whom power is vested to dispose of the appeals and revisions under the Service Rules must dispose of such matters as expeditiously as possible. Ordinarily, a period of three to six months should be the outer limit. That would discipline the system and keep the public servant away from a protracted period of litigation.”

5. In the instant case, it is the specific stand of the applicant that as he stand in similar footing as that of the applicant in the aforesaid matters he submitted representation on 21.01.2019 as is evident from Annexure-16 seeking extension of the benefits of the decision.

6. The Law is well settled in a plethora of judicial pronouncements that similarly situated persons are entitled to the benefit of a decision and the authority is competent to extend the same which would only save wastage of valuable time of the Department but also save exchequer from the expenses for contesting the cases if filed by other employees claiming extension of the benefits of a decision rendered on a particular point/issue.

7. Therefore, we dispose of this OA by directing the Respondents 2 and 3 that, if any such representation (Anx-16) is still pending consideration, the same shall be considered and disposed of, keeping in mind rules and regulations governing the field and all the points raised in the representation and communicate the result to the applicant within a period of six weeks from the date of receipt of a copy of this order. We make it clear that if after such consideration, the grievance of the applicant is found to be genuine, the benefits under LARSGESS Scheme shall be extended to his wards within a further period of six weeks from the date of such consideration.

8. With the above observation, the OA is disposed of. There shall be no order as to costs.

(B.V.SUDHAKAR)
MEMBER (ADMN.)

(A.K.PATNAIK)
MEMMBER (JUDL.)

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