

**Central Administrative Tribunal
Jaipur Bench, Jaipur**

O.A. No. 382/2019

Date of decision: 11.11.2019

**Hon'ble Mr. Suresh Kumar Monga, Member (J)
Hon'ble Mr. A. Mukhopadhyaya, Member (A)**

Prabhu Singh son of Shri Mangu Singh, aged about 53 years, resident of Village Rail ka Bariya, Post Sendara, Via Mokhupura, Ajmer and presently working as Helper Khalasi, (Ticket No.93567), under Senior Section Engineer, Train Lighting, Carriage Workshop, North Western Railway, Ajmer Division, Ajmer-305001.

...Applicant.

(Group-D, Mob.98879-34647)

(By Advocate: Shri C.B.Sharma)

Versus

1. Union of India, through General Manager, North Western Zone, North Western Railway (Head Quarter), Near Jawahar Circle, Jagatpura, Jaipur-302017.
2. Railway Board through its Chairman, Rail Bhawan, New Delhi-110001.
3. Chief Works Manager, Carriage Workshop, North Western Railway, Ajmer Division, Ajmer-305001.
4. Deputy Chief Electrical Engineer, Carriage Workshop, North Western Railway, Ajmer Division, Ajmer-305001.

...Respondents.

(By Advocate: Shri Anupam Agarwal)

ORDER (ORAL)

Per: Suresh Kumar Monga, Member (J):

The present original application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:

"(i) That the entire record relating to the case be called for and after perusing the same the

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respondents be directed to allow benefits of Liberalized Active Retirement Scheme for Guaranteed Employment for Safety Staff (LARSGESS) Scheme to the applicant by way of retirement and further appointment to his ward/son Shri Kishan Singh taking into consideration of facts & circumstances and letter dated 15.01.2019 (Annexure-A/1) with all consequential benefits.

(ii) That the respondents be further directed to act as per procedure which provide that after due formalities i.e. medical examination, character verification such candidate cannot denied appointment and to act as per procedure and extend the benefits to the applicant with all consequential benefits.

(iii) Any other order, direction or relief may be passed in favour of the applicant which may be deemed fit, just and proper under the facts and circumstances of the case.

(iv) That the costs of this application may be awarded."

2. At the very outset, Shri C.B.Sharma, learned counsel for the applicant pointed out that in an identical matter i.e. MA No. 627/2018 in OA No. 132/2016, the respondents have filed an affidavit stating therein that they are under an obligation to consider individual representations in terms of the order passed by the Hon'ble Supreme Court. A copy of the said affidavit as produced by Shri Sharma during the course of hearing is ordered to be taken on record.

3. Learned counsel for the applicant submitted that the applicant shall move a comprehensive representation and he will be satisfied, if a direction is issued to the respondents to consider

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the same in terms of their undertaking given by way of an affidavit in MA No.627/2018 in OA No.132/2016 and a reasoned and speaking order is passed within a timeframe.

4. Keeping in view the aforesaid prayer made by learned counsel for the applicant, the Original Application is disposed of with the observation that if a comprehensive representation is filed by the applicant within a period of one month from today, the same shall be considered by the respondents in terms of their undertaking given in the aforesaid affidavit filed in MA No.627/2018 in OA No.132/2016 and a reasoned and speaking order shall be passed within a period of two months thereafter. Before taking such a decision, the applicant shall also be afforded an opportunity of hearing.

5. Ordered accordingly. However, there shall be no order as to costs.

6. Since the O.A. itself has been disposed of, therefore, nothing survives in MA No.748/2019 and the same is also disposed of accordingly.

(A.Mukhopadhyaya)
Member (A)

(Suresh Kumar Monga)
Member (J)

/kdr/