

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

D.B. Civil Writ Petition No. 11230/2008

1. Union Of India through General Manager, North Wester Railway, Near Railway Hospital, Jaipur.
2. Chief Works Manager, North Western Railway, Loco Head Office, Ajmer.
3. Dy. CME (C), Carriage & Wagon Workshop, North Western Railway, Ajmer.

-----Petitioners

Versus

1. Raghuveer Singh, son of Shri Chuttan Lal, R/o 442/18, Ashok Nagar Bhatta, Behind Shanti Market, Ajmer.
2. Shri Laxman Singh Meena, Section Engineer, 26 Deptt. C&W Workshop, C/o Dy. CME (C) Carriage & Wagon Workshop, North Western Railway, Ajmer

-----Respondents

For Petitioner(s) : Mr. Shailesh Prakash Sharma

**HON'BLE MRS. JUSTICE SABINA
HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL**

Order

28/02/2020

Petitioners have filed this petition challenging the order dated 19.08.2008 passed by the Central Administrative Tribunal, Jaipur Bench.

We have heard learned counsel for the petitioners and have gone through the record available on the file carefully.

Vide order dated 08.04.2009, the hearing of the case was deferred as appeal was pending in the Hon'ble Supreme Court in a similar matter decided by the Central Administrative Tribunal. Vide order dated 09.11.2011, the appeal filed by the Union of India

against the order passed in favour of Rajendra Kumar Gaur has been dismissed. However, it was ordered that the said decision be not treated as a precedent.

A perusal of the order dated 09.11.2011 reveals that it was observed that it was hoped that in the meantime, the Department of Personnel and Training would be in a position to take a decision which would set the controversy at rest for all times to come.

Learned counsel for the petitioners on the basis of instructions received from Mr. Rajendra Prasad Sharma, Chief Law Assistant, has submitted that so far no decision has been taken.

The original application filed by respondent No.1 was allowed vide impugned order dated 19.08.2008 while relying on decision given by this Court in case of **Union of India through General Manager, Northern Railway, Baroda House, New Delhi, & Ors. versus Rajendra Kumar Gaur and Ors, 2003 (1) SLR 533.** The decision given by this Court in Rajendra Kumar Gaur's case has been upheld by the Hon'ble Supreme Court vide order dated 09.11.2011 and after the said decision, no decision has been taken by the Department of Personnel and Training so far to set the controversy at rest.

Hence, in view of the above factual background, this petition is liable to be dismissed.

Dismissed.

(MAHENDAR KUMAR GOYAL),J

(SABINA),J