

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 8215 OF 2004

Union of India & Anr.	...Petitioners
Versus	
Mr. R. R. Kadam & Ors.	...Respondents

Mr. T. J. Pandian for Petitioners
Mr. R. G. Walia for Respondents.

**CORAM: SMT. V. K. TAHILRAMANI, Acting C. J. &
M. S. SONAK, J.
DATE : 26 APRIL 2018**

ORAL JUDGMENT :

- 1] Heard learned counsel for the parties.
- 2] The challenge in this petition is to the judgment and order dated 5th July 2004 made by the Central Administrative Tribunal (CAT) in Original Application No. 230 of 2004 instituted by the respondents.
- 3] In terms of the impugned judgment and order, the CAT has directed the petitioner to restore the facility of first class pass to the respondents.
- 4] Although, Rule was issued in this petition on 16th October 2004, interim relief was specifically refused. This

means that the respondents, must have availed the benefit of the first class pass for all these years.

5] The learned counsel for the parties confirm that by now many of the respondents have also retired from service.

6] That apart, on perusal of the impugned judgment and order, we find that the CAT has only relied upon the judgment and order dated 2nd April 2002 in OA No. 2448 of 2001 passed by the Principal Bench of the CAT on an identical issue. The CAT has basically enforced the decision of the Railway Board itself.

7] Taking into consideration the aforesaid circumstances, we see no ground to interfere with the impugned judgment and order made by the MAT.

8] Accordingly, this petition is dismissed. Rule is discharged. There shall be no order as to costs.

(M.S. SONAK, J.)

(ACTING CHIEF JUSTICE)

CHANDKA