

W.P.C.T. 66 of 2023

**Khalil & Anr.
Vs.
Union of India & Ors.**

Md. Salahuddin,
Md. Ahsanuz Zaman

...for the Petitioners

Mr. Saikat Basu,
Ms. Anamika Pandey,
Mr. Ghanshyam Pandey

...for the Respondents

1. In the present case, the petitioners approached the Central Administrative Tribunal, Kolkata Bench (hereinafter referred to as the 'C.A.T.') seeking employment under a LARSGESS Scheme in the railways which contemplated that staff of certain categories who had sufficient number of years of service (qualifying service contemplated under the Scheme) and had attained a particular age as per the category of service, were entitled to apply on the prescribed proforma for appointment of a ward in the same category. The case of the petitioner is that he applied under the LARSGESS Scheme on 02.02.2011. No action was taken whatsoever on his application.
2. It is under such circumstances that he has approached the C.A.T. The C.A.T. has taken note of decision of the Hon'ble Apex Court in the case of **Manjit & Ors. Vs. Union of India & Anr. in**

Writ Petition (Civil) No.78 of 2021 wherein the Hon'ble Apex Court has found the claim to be unenforceable under the LARSGESS Scheme.

3. The learned counsel for the petitioners submits that since the petitioners had applied in the year 2011 itself, the claim of the petitioners was required to be considered.
4. We fail to appreciate such submissions in view of the decision of the Hon'ble Apex Court in the case of **Manjit & Ors.** (*supra*) quoted in the order passed by the C.A.T. which clearly mandates that since the Scheme stands terminated and is no longer in existence, nothing further needs to be done in the matter. The Hon'ble Apex Court while considering the claim of other similarly situated as the petitioners, has already found the Scheme to be unsustainable and has observed that grant of relief to the petitioners similarly situated as the present petitioners would only enable them to seek a backdoor entry contrary to the orders of the Court.
5. In view of the Judgement of the Hon'ble Apex Court taken note of in the C.A.T., we agree with the decision of the C.A.T. that there was no scope for passing any orders so as to enforce the petitioners' claim under the LARSGESS Scheme.

6. We find no reason to interfere with the decision of the C.A.T. dated 25.11.2022 passed in O.A. No. 1134 of 2021.
7. The Writ Petition being **W.P.C.T. No. 66 of 2023** is dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)