

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4506 OF 2025

Union of India,
Through Railway Board, New Delhi & Ors. .. Petitioners
Vs.
Satya Prakash Kapoor and Ors. .. Respondents

Mr. Abhijeet A. Joshi with Ms. Varsha Sawant, Advocates for the
Petitioners.

Mr. Rahul G. Walia with Ms. Asmita Pendharkar and Mr. Puneet Pathak,
Advocates for the Respondents.

CORAM : A.S. CHANDURKAR &
M.M. SATHAYE, JJ

DATE : 8TH APRIL 2025.

PC. :

1. The order dated 14th June 2024 passed by the Central Administrative Tribunal, Mumbai Bench, Mumbai in Original Application No.247 of 2023, by which the petitioners were directed to grant pensionary benefits and other retiral dues on the basis of 55% add-on element on the Basic Pay with all consequential benefits to the respondents for a period of three years prior to filing of the Original Application, is under challenge in this writ petition.

2. We have heard the learned counsel for the parties and we have perused the documents on record. It is seen that the issue with regard to entitlement of employees who have retired from the post of "Loco

Inspector / Chief Loco Inspector” engaged in the Running Supervisory Cadre of the Central Railway has been the subject matter of consideration earlier by the Central Administrative Tribunal in Original Application No.229 of 2000 (*Krishan Lal Vs. Union of India and Ors.*) decided on 16th October 2001. By the said order dated 16th October 2001, relief was granted to the applicant therein by directing his pensionary benefits to be re-worked by adding 55% of the Basic Pay. This order of the Central Administrative Tribunal was upheld by the Delhi High Court on 22nd September 2003 and thereafter by the Supreme Court on 6th July 2004. The Central Administrative Tribunal by relying upon these orders as well as the subsequent adjudication undertaken on similar lines has held the present respondents entitled to similar benefit but has restricted the monetary claim for a period of three years prior to filing of the Original Application.

3. Similar contentions raised earlier including the contention that the respondents were not entitled to the benefits given to “Running Staff” have been re-urged. Since we find that the issue involved herein has been considered and decided against the petitioners and the Central Administrative Tribunal has followed its earlier orders which have been thereafter upheld by superior Courts, we do not find that the Central Administrative Tribunal committed any jurisdictional error in granting

relief to the respondents. The monetary relief having been restricted to a period of three years since filing of the Original Application, there is no reason for this Court to interfere in exercise of writ jurisdiction. The writ petition therefore stands dismissed with no order as to costs.

4. Time to comply with the impugned judgment is extended by a period of four weeks from the date of receipt of this order.

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]