

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.NO.3266/2002  
M.A.NO.2831/2002

Wednesday, this the 18th day of December, 2002

Hon'ble Shri Justice V.S.Aggarwal, Chairman  
Hon'ble Shri S.A.T. Rizvi, Member (A)

1. Madan Singh s/o Shri S.N.Singh
2. Bindeshwari Prasad s/o Shri Ram Samujh
3. Shiv Nath son of Shri Raghuvir
4. Laxman Singh son of Shri Bala Singh
5. Ram Yogya son of Shri Sukh Ram
6. Ram Singh s/o Shri Gurucharan
7. Raja Ram son of Shri Dhan Raj
8. Ram Pyare son of Shri Kalpuram
9. Naurang Singh son of Shri Umrao Singh
10. Tara Chand son of Shri Ganesh
11. Rajdhari son of Shri Babulal
12. Mohan Thakur son of Shri Poojan
13. Ramjit son of Shri Motilal
14. Ram Bahal son of Shri Bipat
15. Phirtoo son of Shri Sampt
16. Rafi Ullah Khan son of Shri Puddan

(All working as Helper Khallasis under Dy.Chief  
Signal and Telecom Engineer (Construction)  
Route Relay Interlocking (RRI) DRM's office,  
Northern Railway, New Delhi)

...Applicants

(None)

Versus

1. The Union of India through  
the Chairman Railway Board  
Principal Secretary to Govt. of India  
Ministry of Railway.s Rail Bhawan  
New Delhi-1
2. The General Manager, Northern Railway  
Baroda House, New Delhi-1
3. The Divisional Railway Manager  
Northern Railway, Delhi Division  
State-Entry Road, New Delhi-52

(2)

4. The Chief Administrative Officer  
(Construction), Kashmiri Gate,  
Northern Railway, Delhi-6
5. The Dy. Chief Singal & Telecom Engineer  
(Construction) Route Realy Interlocking  
(RRI), DRM's Office, Northern Railway  
New Delhi

..Respondents

O R D E R (ORAL)

Shri Justice V.S.Aggarwal:

MA-2831/2002

MA-2831/2002 is allowed subject to just exceptions. Filing of joint application is permitted.

OA-3266/2002

By virtue of the present application, it is prayed that the respondents should be directed to consider the applicants as per their seniority for the promotion/regularization/absorption in regular group 'D' service.

2. Some of the facts are that the applicants were engaged as casual labour in the Construction Organization more than two decades ago. In 1984-85, a scheme for absorption in regular group 'D' service was formulated. The applicants were trade tested for Helper Khalasi. Seemingly, they did not succeed.

3. All these facts referred to above had happened in 1998-99 pertaining to the trade test. If that was so, we could well have termed the present application to be not within time.

4. However, it has been pointed that the respondents promoted the persons who were declared failed in the

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(3)


trade test without any further trade test in January, 2002. In this regard, raising a grievance, the applicants have submitted a joint representation dated 24.7.2002 regarding which no action is stated to have been taken.

5. At this stage, when the rights of the respondents are not likely to be affected, we deem it unnecessary to issue any show cause notice.

6. Consequently, we dispose of the present application directing respondent No.2 to consider the representation, copy of which is Annexure A-19, and pass an appropriate order preferably within six months from the date of receipt of a certified copy of the present order.

7. With these directions, OA is disposed of.

  
(S.A.T. Rizvi)  
Member (A)

  
(V.S. Aggarwal)  
Chairman

/sunil/