

(11)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA 3143/2002

New Delhi, this the 17th day of July, 2003

Hon'ble Sh. Govindan S.Tampi, Member (A)  
Hon'ble Sh. Shanker Raju, Member (J)

Ms. Arun Bala  
D/o Sh. Mohinder Nath  
Booking Clerk  
Northern Railway  
Amritsar.

...Applicant

(By Advocate Sh. B.S.Mainee)

V E R S U S

Union of India through

1. The Secretary  
Ministry of Railways  
(Railway Board)  
Rail Bhawan  
New Delhi.
2. The General Manager  
Northern Railway  
Baroda House, New Delhi.
3. The Divisional Railway Manager  
Northern Railway, Ferozpur Cantt.

...Respondents

(By Advocate Sh. R.L.Dhawan)

O R D E R (ORAL)

Shri Shanker Raju,

Heard.

2. Applicant impugns respondents' order dated 11-11-2002 where his representation is reference to his termination has been rejected and the services are terminated.

3. Applicant in pursuance of Railway's Scheme introduced by the Railways in 1973 and in pursuance of Railway Board's letter dated 21-4-1982 those Mobile Booking Clerks having rendered three years service have been directed to be considered for regularisation and absorption in the aforesaid Scheme continued till 17-11-1986.

4. The applicant was engaged as a Booking

Clerk and was posted to work as  
Enquiry-cum-Reservation Clerk.

(12)

5. In a batch of OAs including OA 3077/2002 in Surender Singh Vs. UOI & Ors., similarly circumstance employees who had been working as ECRC assailed the impugned orders. This Tribunal by an order dated 27-2-2003 quashed the termination orders and directed reinstatement of the applicants with all consequential benefits, pay, allowances and seniority. The aforesaid decision, when carried to the High Court of Delhi in Writ Petition No.3174/2003, by an order dated 12-5-2003, was affirmed.

6. The aforesaid contention put forth by Sh. B.S. Maine, 1d. counsel for the applicant has not been disputed by Sh. R.L. Dhawan, 1d. counsel for respondents.

7. In the result, for the forgoing reasons, as the applicant in the present case is in all four covered by the decision of Surender Singh (supra) which has attained finality, impugned orders cannot be sustained in law.

8. OA is allowed. Impugned orders are quashed and set aside. Applicants are entitled to all consequential benefits as prayed in para 8 of the OA. We direct compliance of the above directions within a period of two months from the date of receipt of a copy of this order. No costs.

S. Raju

(SHANKER RAJU)  
MEMBER (J)

/vks/

(GOVINDAM S. TAMPI)  
MEMBER (A)