

Central Administrative Tribunal
Principal Bench: New Delhi

O.A. No. 2224/2002

This the 23rd day of August, 2002

(2)

Hon'ble Shri V.K. Majotra, Member (A)

Shri Swami Nath
S/O Shri Shiv Murti
Khallasi
Under SSE/WEE,
Electrical Workshop,
Daya Basti,
New Delhi.
& 12 others, as per Memo of Parties.

-Applicants

(By Advocate: Shri Amit Anand)

Versus

Union of India: Through

1. The General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway,
State Entry Road,
New Delhi.
3. The Chief Administrative Officer (Constrn),
Northern Railway,
Kashmere Gate,
New Delhi.
4. The SSE/WEE,
Electrical Workshop,
Daya Basti,
New Delhi.

-Respondents

ORDER (Oral)

Learned counsel Shri Amit Anand heard.

2. MA-1818/2002 for joining together is allowed.
3. The applicants, 13 in number, are working as Khalasis and Gangman. According to the learned counsel vide Annexure A-4 whereas these persons were engaged as casual labour between 1976 and 1983, they were accorded temporary status between 1982 and 1988. They are aggrieved by the non-payment of arrears in respect of the period from the date of start of their service up to the date on which temporary status was conferred on them, on par with, similar payments allowed to some other similarly situate workers of the office of the

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same respondents. It is further stated that the services of some of these temporary status workers have been regularised as well. The learned counsel has placed reliance on judgment dated 27.10.99 of the Hon'ble High Court of Delhi in C.W. No.5247/97 (Annexure A-6). He has further relied on order dated 16.2.2001 in OA-371/2001 in a similar cases (Annexure A-2) in which relying on the aforesaid judgment of the High Court, respondents were directed to consider the claims of the applicants in accordance with the aforesaid decision of the High Court.

4. In the circumstances of this case, the ends of justice will be met by disposing of this OA as well at this very stage without issuing a notice to the respondents to consider the claims of the applicants in accordance with the aforesaid decision of the High Court on verification of particulars stated in Annexure A-4 regarding the respective dates of engagement and dates of permanent/temporary status of the applicants. If these particulars are found to be true, the respondents shall make whatever payments are due to the applicants as expeditiously as possible and in any event within a period of two months from the date of receipt of a copy of this order.

5. Present OA is disposed of in the aforesaid terms at the admission stage itself. A copy of this OA be also forwarded to respondent No.3.


(V.K. Majotra)
Member (A)

cc.

OA disposed of on 23-1-2003
736/03
(Fresia) M.A. for EOT