

Central Administrative Tribunal
Principal Bench

O.A. No. 1078 of 2001

New Delhi, dated this the 6th May, 2002.

HON'BLE MR. V.K. MAJOTRA, MEMBER (A)
HON'BLE MR. SHANKER RAJU, MEMBER (J)

1. Sh.Ved Pal,
S/o Shri Illam Chand
r/o 322, Sector 20, Balbir Vihar,
Sultanpuri, Delhi.
2. Sh.Ram Pal,
S/o Shri Daryao Singh
r/o 52/1, Railway Calony,
Kishan Ganj, Delhi.
3. Sh.Sat Pal,
S/o Shri Inder Singh
r/o D-2/501, Sultanpuri, Delhi.
4. Sh.Gian Chand
S/o Shri Charan Singh
r/o 584-D, Narela, Delhi-40.
5. Sh.Om Prakash
S/o Shri Charan Singh
r/o 107/3127, Loco Colony
Delhi-6.
6. Sh.Ranvir Singh,
S/o Shri Saroopa
r/o B-450, Ashok, Vihar,
Delhi-93.
7. Sh.Charan Singh
S/o Shri Faqira Singh
r/o Vill.Sirsa, P.O.Kasha,
Distt. Gautam Budh Nagar, Greater NOIDA.
8. Sh.Illam Chand
S/o Shri Kewal Singh
r/o H.N.95, Shankerpuri, Sector-9
Ghaziabad, UP.
9. Sh.N.Ayyayoo
S/o Shri Nachimuthu
r/o 88, South India Madras Colony,
Mori Gate, Delhi-6.Applicants.

(By advocate: None)

Versus

1. Union of India
through its
The General Manager, Northern Railway,
Baroda House, New Delhi.
2. The Divisional Railway Manager,
Northern Railway,
State Entry Road,

(16)

(2)

New Delhi.

3. The Carriage & Wagon Superintendent
Northern Railway,
Old Delhi Railway Station,
Delhi. ... Respondents.

(By Advocate: Shri R.P. Aggarwal)

ORDER(ORAL)

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

None present on behalf of applicants. We proceed to dispose of this OA in terms of Rule 15 of the CAT (Procedure) Rules, 1987, after hearing the respective pleadings of the parties, considering the material on record and hearing Shri R.P. Aggarwal, learned counsel of the respondents.

2. The applicants are aggrieved by allegedly wrongful action of the respondents in terms of which respondents promoted their juniors, namely, S/Shri Kartar Singh, Prem Dass, Jai Prakash and Sita Ram.

3. Applicants who were working as Safaiwala/Khalasi, were screened for regularisation as Khalasi in 1987 but they were not regularised as such as they had produced bogus casual labour cards. Screening was again held in 1995 but again they were not regularised on the same ground. Later on, on the basis of a decision reached on conciliation with trade unions, applicants alongwith similarly situated candidates were declared deemed fit on the basis of their long spell of service as substitute Safaiwala/Khalasi. According to the respondents,

(11)

(3)

since applicants' alleged juniors had been found fit for placement on panel of Group 'D' against regular posts before the applicants, as per rules, they cannot be termed as juniors to applicants. The applicants are stated to have been regularised as Cleaner/Khalasi w.e.f. 1998-99 and would be considered for further promotions as Fitter Grade III/C&W Helper as per rules and in their own turn. Learned counsel stated that Applicant Nos.4 and 9, i.e. S/Shri Gian Chand and N.Ayyayoo have already been promoted as Helper.

4. In view of the above discussion, we direct the respondents to consider the applicants other than Applicant Nos.4 and 9, i.e., S/Shri Gian Chand and N.Ayyayoo for further promotion as per rules and in their respective turn.

5. The OA is disposed of in the above terms.
No costs.


(Shanker Raju)
Member (J)


(V.K. Majotra)
Member (A)

/kd/