

4

Central Administrative Tribunal  
Principal Bench

O.A. No. 1233 of 2001

New Delhi, dated this the 6th November, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)  
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

S/Shri

1. Vinod Kumar Dixit,  
S/o Shri V.K. Dixit,  
Wireman Grade III
2. R.C. Shukla,  
S/o Shri N.N. Shukla,  
Wireman Grade III.
3. Krishna Bihari,  
S/o Mangali Prasad,  
Wireman Grade III
4. Chandra Shekhar Patil,  
S/o Shri S.K.G. Patil  
Wireman Grade III.
5. Amar Singh,  
S/o Shri Sita Ram,  
Wireman Grade III.
6. Awadh Bihari,  
S/o Shri H.L. Yadav,  
Wireman Grade III
7. Mohd. Nazim Khan,  
S/o Shri Hashim,  
Wireman Grade II.
8. Kunwar Pal Singh,  
S/o Shri Khyali Ram,  
Wireman Grade III

Applicants working under S.S.T.E.' (Works),  
Kanpur with the Chief Signal Inspector,  
Kanpur Junction. .. Applicants

(By Advocate: Shri R.K. Shukla)

Versus

1. The General Manager,  
Barodea House, Northern Railway,  
New Delhi.
  2. The Chief Administrative (Construction),  
Northern Railway, Kashmere Gate,  
Delhi-110006.
  3. The Sr. Signalling & Telecommunication  
Engineer (Construction),  
Northern Railway, Kanpur.
- 2

5

4. The Divisional Railway Manager,  
Northern Railway,  
Allahabad, U.P. .. Respondents

(None appeared)

ORDER (Oral)

S.R. ADIGE, VC (A)

Applicants seek a direction to Respondents to regularise their services as Wiremen Grade III/E.S.M. or other suitable grade as skilled artisan with consequential benefits.

2. Our attention has been invited to letter dated 7.7.98 (Annexure A-1) from Chief Administrative Officer, Construction Organisation, Headquarters Office, Kashmere Gate, Delhi to all the field Dy. CSTE/Construction under Construction Organisation intimating the results of trade test of casual wireman working in S&TC organisation. This letter states that as a result of trade test conducted by the competent authority on different dates, the following T/S Wiremen whose <sup>are</sup> names shown in the Annexure 'A' to that letter, have been found fit for the post of technician/signal/tele. It has been requested that the concerned staff be informed that this list is neither <sup>hat</sup> that of seniority nor regularisation as wireman, and their cases for regularisation are to be decided in consultation with the respective division. They will have no right for regularisation over and above their seniors in the

7

divisions and this is a provisional list. Applicants feature between Serial No. 52 to 60 of that list.

3. Shri Shukla informs us that applicants have been representing to Respondents for their regularisation from time to time, and in this connection our attention has been invited to legal notice dated 16.1.2001 (Annexure A-4), which has referred to the aforesaid letter dated 7.7.98 (Annexure A-1) and has called upon Respondents to undertake appropriate action for regularising the services of applicants.

4. We are informed that applicants are working in the office of the DRM, Northern Railway and Respondents have taken the preliminary objection that the O.A. lies outside the jurisdiction of the Principal Bench, and there is no order of Hon'ble Chairman to retain the case in the Principal Bench, but as the letter dated 7.7.98 (Annexure A-1) announcing the results of the trade test has been issued from Delhi, we hold that at least part of cause of action lies in Delhi, and therefore the Principal Bench does have jurisdiction to entertain this O.A.

5. In the result the O.A. is disposed of with a direction to Respondents to consider the claims of applicants for regularisation in their parent division itself i.e. Allahabad Division, subject

to availability of vacancies and in their own turn, in accordance with rules and instructions on the subject. This should be done within three months from the date of receipt of a copy of this order. No costs.

6. After the above orders were dictated in the open court, Respondents' counsel Shri B.S. Jain has appeared.

*A. Vedavalli*

(Dr. A. Vedavalli)  
Member (J)

karthik

*S.R. Adige*

(S.R. Adige)  
Vice Chairman (A)