

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1647/2001

New Delhi, this 4th day of April, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman(J)
Hon'ble Shri M.P. Singh, Member(A)

Komal Singh
Wireman Gr.III under Signal Inspector
Northern Railway, Tundla Junction .. Applicants
(By Shri R.K. Shukla, Advocate)

versus

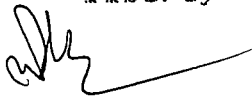
Union of India, through
1. General Manager
Northern Railway
Baroda House, New Delhi
2. Chief Administrative Officer
(Construction) N.Railway
Kashmere Gate, Delhi
3. Sr. Signalling & Telecommunication
Engineer (Construction)
Northern Railway, Kanpur
4. Divisional Railway Manager
Northern Railway, Allahabad .. Respondents
(By Shri B.S. Jain, Advocate)

ORDER(oral)

Shri M.P. Singh, Member(A)

In this OA the applicant has prayed for a direction to regularise his services as Wireman Grade III/ESM or any other suitable grade as skilled artisan from the date on which he is holding the post of skilled artisan.

2. The brief facts of the case are that the applicant is working as skilled artisan in the category of Wireman in the pay scale Rs.3050-4590 under the Chief Signal Inspector (Construction), Northern Railway, Tundla Junction. He was initially engaged as semi-skilled artisan w.e.f. 6.3.84 which post was subsequently upgraded w.e.f. 1.9.1991. Applicant has earlier filed OA No.1791/96 which was disposed of vide order dated 1.3.2000. Thereafter, as the order passed by the Tribunal was not implemented by the respondents, he therefore filed CCP No.25/2001. That CCP was disposed of vide order dated 9.5.2001 and the applicant was given liberty to file a fresh OA. He has therefore filed this



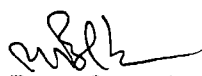
present OA claiming the aforesaid relief. 13

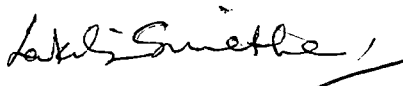
3. Respondents in their reply have stated that the applicant has qualified in the trade test held for the casual wireman. He however did not pass the trade test for the post of ESM Gr.III.

4. Heard the learned counsel for both parties and perused the records.

5. During the course of the arguments, learned counsel for the applicant has drawn our attention to the judgement of the coordinate Bench of this Tribunal dated 6.11.2001 in OA No.1233/2001, copy placed on record. In fact the applicants in OA No.1233/2001 have qualified in the trade test alongwith others including the applicant as shown in Annexure A-1. A perusal of the aforesaid judgement dated 6.11.2001 reveals that the present OA is covered in all fours by the aforesaid judgement. We are informed that the order of this Tribunal has not been quashed or set aside or modified in any manner. We are bound by the above judgement.

6. In this view of the matter, the present OA is disposed of with a direction to respondents to consider the claim of the applicant for regularisation in his parent division itself i.e. Allahabad Division, subject to availability of vacancies and in his 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.


(M.P. Singh)
Member(A)


(Smt. Lakshmi Swaminathan)
Vice-Chairman(J)

/gtv/