

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2157/2001

Friday, this the 24th day of August, 2001

Hon'ble Shri S.A.T. Rizvi, Member (Admn)

Chhedi Lal, S/O Shri Ram Sukh
R/O BN-627/7, Rajvir Colony
Kondali Village
Delhi-92.

..Applicant

(By Advocate: Shri U. Srivastava)

Versus

Union of India through

1. The General Manager,
Northern Railway, Baroda House,
New Delhi
2. The Divisional Railway Manager
Northern Railway
New Delhi

..Respondents

O R D E R (ORAL)

The applicant engaged as casual worker in the Railways worked in that capacity from 1.8.1981 to 22.12.1982. He was not engaged ever thereafter. Aggrieved by the respondents' action in not engaging him, the applicant approached this Tribunal through OA-2545/97 which was disposed of vide Tribunal's order of 13.8.1998 with a direction to the respondents to include the applicant's name in the live casual labour register on the basis of his verified service. The Tribunal had further directed that the applicant will be reengaged in accordance with his seniority and in preference to his juniors (Annexure A-2). The Review Application No.40/99 filed by the respondents against the aforesaid order was dismissed on 24.11.1998 (Annexure A-3). Thereafter, the applicant approached this Tribunal through Contempt

2/

Petition No.99/99 which was decided on 8.10.1999 by emphasizing that the applicant was entitled to the next vacancy for appointment from the live casual labour register. It was noted therein that in compliance of the respondents' order dated 2.8.1999 which was passed in compliance of the Tribunal's aforesaid order, the name of the applicant had been included in the live casual labour register at Sl.No.201A, and this way, the applicant was to be considered for appointment in a regular capacity in accordance with his seniority. The aforesaid order in the Contempt Petition was passed on 8.10.1999. The respondents have, however, not cared so far to consider the applicant's claim, nor have they given any information to the applicant in regard to the action they proposed to take. The applicant has been filing representations one after the other without any response from the respondents. The last representation filed by the applicant is placed at Annexure A-1. This too remains without response.

2. In the aforesaid circumstances, I take the view that the ends of justice will be duly met by disposing of this OA at this very stage even without issuing notices by directing the respondents to consider the aforesaid representation together with the pleadings contained in the present OA within a period of two months from the date of receipt of a copy of this order. If the order to be passed by the respondents is likely to be adverse to the applicant, the respondents will pass a reasoned and a speaking order within the same period of two months.

dr

(3)

3. The OA is disposed of in the aforestated terms at the admission stage itself. No costs.

4. Registry is directed to send a copy of the OA along with this order.

S. H. Teel

(S.A.T. Rizvi)
Member (A)

/sunil/