

Central Administrative Tribunal
Principal Bench

O.A. No. 1176 of 1999

New Delhi, dated this the 245th May, 2001

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

Shri Surinder Pal,
S/o Shri Harish Chand,
Working as Mason under Dy. Chief Engineer (Const.),
Northern Railway, Tilak Bridge,
New Delhi. . . Applicant

(By Advocate: Shri B.S. Mainee)

Versus

Union of India through

1. The General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Chief Administrative Officer (Constr.),
Northern Railway, Kashmere Gate,
Delhi.
3. The Dy. Chief Engineer (Const.),
Northern Railway,
Tilak Bridge,
New Delhi. . . Respondents

(By Advocate: Shri R.P. Aggarwal)

ORDER (Oral)

S.R. ADIGE, VC (A)

Applicant impugns respondents' order dated 2.12.99 reverting him from the post of Mason to his substantive post as khallasi.

2. Heard both sides.
3. Applicant has been regularised as khallasi vide order dated 20.11.97 (Annexure R-3). It is not denied that Respondents have taken the work of him as a Mason at least since 1984 if not earlier.

4. In the particular facts and circumstances of this case, which should not be treated as a precedent, ^{as} applicant has been working as mason for all these years. Respondents should continue ^{to} allow him to work as such without reverting him, and consider regularising him as a mason subject to availability of vacancy in accordance with rules and instructions on the subject, and strictly in his own turn of seniority.

5. The O.A. stands disposed of accordingly.
No costs.

A. Vedavalli
(Dr. A. Vedavalli)
Member (J)

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

karthik