

Central Administrative Tribunal
Principal Bench: New Delhi

OA 1361/96

New Delhi this the 22nd day of October 1997.

Hon'ble Dr Jose P. Verghese, Vice Chairman (J)
Hon'ble Mr N. Sahu, Member (A)

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Shri Mangat Singh
S/o Shri Khachedu Singh
Casual Gangman
Under P.W.I
Northern Railway
Hapur
At Pilkhura (Meerut) ...Applicant
(By advocate: Mr B.S.Mainee)

Versus

Union of India through

1. General Manager
Northern Railway
Baroda House
New Delhi.

2. The Divisional Railway Manager
Northern Railway
Moradabad (UP)

3. Divisional Engineer (Hqr.)
Northern Railway
Moradabad (U.P)

(By advocate: Mr P.S.Mahendru) ...Respondents.

O R D E R (oral)

By Dr Jose P. Verghese, Vice Chairman (J)

The case of the petitioner is that inspite of several orders, even though at one stage the respondents had re-engaged the petitioner after certain orders of this court, the respondents had subsequently disengaged the petitioner on the ground that on scrutiny, it was found that the appointment of the petitioner as casual labourer by the then Assistant Engineer, Hapur, was wrong. Respondents were at liberty to rectify the mistake but the period the petitioner actually worked as casual labourer shall continue to be counted inspite of the fact that such engagement was right or wrong, and the

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respondents shall engage the petitioner against available vacancy wherever his juniors have been considered for engagement.

2. It is stated by the petitioner that two of his juniors are still working while the petitioner who is senior was disengaged on the basis of the above said alleged scrutiny of records. It is hereby directed, therefore, that the respondents shall consider re-engaging the petitioner against available vacancy before considering the claim of any of his juniors except by those engaged by Court orders. In the event any of his juniors continues to work under any Court orders, the petitioner will have the right to be informed of the Court's order under which they are continued to work. The petitioner is also entitled to a statement from the respondents that the remaining persons who continue to be engaged as casual labourers are senior to the petitioner. The intimation to the petitioner shall be sent within four weeks of the receipt of a copy of this order.

Petition is disposed of as above.

N. Sahu

(N. Sahu)
Member (A)

Dr Jose P. Verghese
(Dr Jose P. Verghese)
Vice Chairman (J)

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