

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. No.1453 of 1996

Dated this 31st day of January, 2000

HON'BLE MR.JUSTICE ASHOK AGARWAL, CHAIRMAN  
HON'BLE MRS. SHANTA SHASTRY, MEMBER (A)

Hem Raj  
S/o Shri Babu Lal  
working as Booking Clerk  
at Delhi Sarai Rohilla Station  
and r/o H.No.509/B/3, GBO-A  
Govindpuri (Kalkaji)  
New Delhi-19.

...Applicant

(By Advocate: Shri Yogesh Sharma)

versus

1. Union of India, through  
The General Manager  
Northern Railway  
Baroda House  
New Delhi.

2. The Divisional Railway Manager  
Northern Railway  
Bikaner Division  
Bikaner (Rajasthan)

... Respondents

(By Advocate: None)

O R D E R (Oral)

Hon'ble Mr Justice Ashok Agarwal

Applicant is a Mobile Booking Clerk who was engaged with effect from 6.5.1986. He was disengaged on 31.7.1986. Being aggrieved by the disengagement, applicant filed OA (No.1040/87) before this Tribunal for his re-engagement. In pursuance of an interim direction issued by the Tribunal on 31.7.1987 applicant was re-engaged on 28.8.1987.

2. Certain Mobile booking Clerks who are similarly placed as the applicant, had filed

7

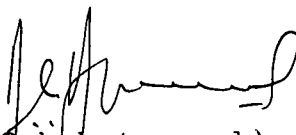
a bunch of OAs being OA.No.896/88 and other connected matters claiming grant of temporary status and regularisation to the post of Mobile Booking Clerks. By a judgement and order passed on 1.6.1990 a direction was issued to grant temporary status to those Mobile Booking Clerks who had completed four months continuous service, i.e., 120 days. Based on the directions of the Tribunal, the General Manager has issued directions on 24.8.1990 granting temporary status in compliance with the directions of the Tribunal. Based on the aforesaid directions several Mobile booking Clerks have been granted temporary status from the date of their completing four months (120 days) of continuous service. As far as the applicant is concerned, he was granted temporary status with effect from 17.10.1990, the date on which the order was issued. The short grievance that the applicant has raised in the present OA is that he has completed four months service on 28.12.1987. Hence he is entitled to grant of said status from that date and not from 17.10.1990 as has been done in his case.

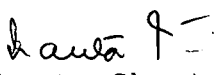
3. It is not disputed by the respondents that applicant has completed four months service on 28.12.1987. It is further not in dispute that applicant, by the directions issued by this Tribunal as also the directions contained in the

Ne. J

order of the General Manager on 24.8.1990, is entitled for the grant of temporary status on his completing four months service ,i.e. with effect from 28.12.1987.

4. In the circumstances, the OA is allowed. The respondents are directed to grant temporary status to the applicant with effect from 28.12.1987, the date on which he had completed four months service as Mobile Booking Clerk. The applicant would be entitled to all consequential benefits on grant of the aforesaid status. No order as to costs.

  
(Ashok Agarwal)  
Chairman

  
(Mrs. Shanta Shastry)  
Member(A)