

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No. 1766/1996

New Delhi, this 7th day of March, 2000

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)
Hon'ble Smt. Shanta Shastry, Member(A)

1. Laxman Ram
2. Bhuran Sadda
3. Sarvan Lal
4. Mohan Lal
5. Swami Prasad
6. Vikram
7. Pritam
8. Acche Lal
9. Dwarka Prasad
10. Biran
11. Dudhnanth
12. Vinod
13. Ayyasamy
14. Kaliyan
15. Lakhman Lal

All r/o Railway Station,
presently at Jind

(By Shri D.N.Gobhardan, Advocate - not present)

VERSUS

Union of India, through

1. General Manager
Northern Railway
Gardiner House, New Delhi

2. Divisional Railway Manager New Delhi

3. D.P.O., DRM Building
New Delhi .. Respondents

(By Smt. B.Sunita Rao, Advocate - not present)

ORDER(coral)

Hon'ble Smt. Shanta Shatry

None present in person or through counsel. Since the matter pertains to 1996, we proceed to dispose of the application on merits.

2. The applicants were initially recruited in PQRS in the Delhi Division of Northern Railway. They were granted temporary status in Northern Railway from

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on 4.1.81. They were to be regularised from 1985 and they were medically examined for permanent absorption on 1.1.83. The applicants were sent to Ambala in 1987 and were brought back to Delhi in 1992 and thereafter were again posted under AEN, Jind.

3. Applicants have sought regularisation of their services in the Northern Railway and have prayed for a direction to the respondents to regularise their services from the date their juniors were regularised.

4. The main contention of the applicants is that they have not been regularised while many of their juniors were regularised whereas being senior-most, they should have been regularised first.

5. It is seen from the counter reply filed by the respondents that the applicants have been regularised vide orders dated 7.12.92. It is clearly stated therein that "the casual labourers of PQRS Unit/Engg. department, Ambala who have been screened for the post shown against each for regular absorption in Engg. deptt. of Delhi Division and rendered surplus from PQRS Unit are directed to AEN/JHI sub-division for duty". Respondents have submitted that the applicants' sole intention in filing this application is to get TA/DA as per Railway rules claiming that their headquarters are in Delhi. The applicants are posted in Jind and they cannot claim any TA/DA. Applicants were given option. Had they given their options they would have

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been posted in the Electrical Department. Respondents have also averred that no juniors to the applicants have been regularised when the services of the applicants have been regularised.

6. In view of these pleadings, we find that the OA is infructuous. Therefore the OA is dismissed. We do not however order any costs.

Laws 9 -
(Smt. Shanta Shastray)
Member(A)

Ambygopal Reddy
(V.Rajagopala Reddy)
Vice-chairman(J)

/gtv/