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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA.No.2331 of 1996

Dated New Delhi, this 18th day of March, 1997

HON'BLE MR R. K. AHOOJA, MEMBER(A)

1. Nanda Kishore Roy
S/o Late Ram Prosad Roy
2. Amiya Kumar Biswas
S/o R. C. Biswas
3. Somnath Mukherjee
S/o S. N. Mukherjee
4. Udaya Krishna Ghosh
S/o Late H. N. Ghosh
5. Jiten Chandra Sen
S/o S. C. Sen
6. Ambika Roy
S/o J. Roy
7. Haripada Sarkar
S/o Late B. Sarkar
8. Niranjan Goon
S/o Late G. C. Goon
9. Sibananda Das
S/o Late B. K. Das
10. Kamalesh Lala
S/o R. N. Lala
11. Prabir Kumar Das
S/o D. C. Das
12. Pronab Sen Sharma
S/o Late H. S. Sharma
13. Motilal Ghosh
S/o M. Ghosh
14. Dulal Chowdhury
S/o Late R. Chowdhury
15. Debasish Kumar Mandal
S/o S. C. Mondal
16. Goutam Bose
S/o Late R. C. Bose
17. Keshab Chandra Dey
S/o A. K. Dey
18. Wangchuk Bhutia
S/o Chiten Bhutia

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19. Dhirendra Nath Dutta
S/o A. S. Dutta
20. Sachin Roy
S/o J. N. Roy
21. Jamini Kanta Barman
S/o Late J. N. Barman
22. Birbrata Das
S/o J. C. Das
23. Gopal Basak
S/o N. Basak
24. Dilip Kar
S/o R. N. Kar
25. Monoranjan Biswas
S/o R. Biswas
26. Kanu Sen
S/o Late U. S. Sen
27. Kalidas Paul
S/o N. M. Paul
28. Amiya Chakravorty
S/o Late D. Chakravorty
29. Krishna Kanta Biswas
S/o H. Biswas
30. Dinobandhu Kansabanik
S/o Late K. Kansabanik
31. Prassang Teshing Lopcha
S/o C. R. Lepcha
32. Sribash Chandra Majumdar
S/o Late J. C. Majumdar
33. Subrata Kusari
S/o Late S. Kusari

All working for gain as Worked Charged Khalasi(W)
in the office of Central Water Commission,
L. B. Division, Hakimpura, Jalpaiguri.

...Applicants

By Advocate: Shri P.P. Khurana

versus

1. Union of India, through
Secretary,
Ministry of Water Resources
Government of India
Sramshakti Bhawan
NEW DELHI-110 001.

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2. Chairman
Central Water Commission
Ram Krishna Puram
NEW DELHI 110 066.
3. Executive Engineer
Central Water Commission
Lower Brahmaputra Division
Hakimpura
JALPAIGURI
4. Superintendent Engineer
Central Water Commission
(Barak Brahmaputra Circle)
Nabin Nagar
Janapath
GUWAHATI-24.
5. Chief Engineer
Central Water Commission
Jamir Mansion
Nong Shilling
Shillong
MEGHALAYA-14.

... Respondents

By Advocate: Shri M. K. Gupta

O R D E R (Oral)

Mr R. K. Ahooja, M(A)

This OA has been filed by the applicants aggrieved by the order of termination of services claiming various reliefs including directions to respondents to appoint the applicants on regular basis and regularise their services as Worked Charged Khalasis and other consequential benefits.

2. The respondents in the reply have raised an objection on the maintainability of this OA on the ground that similar reliefs have been agitated in OA. No. 1300/94 before the Hon'ble Bench of the Tribunal.
3. I have heard the learned counsel of both sides. The learned counsel for the applicants

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submitted that some similarly circumstanced employees ranked juniors to the applicants approached the Guwahati Bench of the Tribunal when their services were terminated and obtained a direction that they shall not be disengaged, and in terms of that direction, the applicants would seek a similar direction and they approached this Tribunal for similar orders.

4. The learned counsel for the respondents states that in pursuance of the directions given by the Hon'ble Bench in OA.1300/94, the respondents are already taking steps to prepare a scheme and the matter is pending approval of the Cabinet. In so far as the present applicants are concerned, the respondents would be willing to consider them ~~matter~~ ^{as} subject to availability of work in preference to the outsiders. ^{Accordingly,} Considering relief b), this OA is disposed of at the admission stage itself with a direction that the applicants will be offered work, if available, in preference to outsiders and juniors in accordance with their seniority. No costs.


(R. K. Aahooja)
Member(A)