

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. No. 2500/96

New Delhi this the 16<sup>th</sup> Day of April 1998

Hon'ble Shri R.K. Aahooja, Member (A)

Shri Anil Kumar Sharma,  
Son of Shri Mitrasain Sharma,  
Ex. Khallasi,  
Under SSTE (Special)  
Northern Railway  
R/o F-131 Udai Nagar,  
Patel Natgar III  
Ghaziabad

Petitioner

(By Advocate: Shri B.S. Mainee)

-Versus-

1. The General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.
2. The Chief Administrative Officer (Constrn),  
Northern Railway,  
Kashmeri Gate,  
Delhi.
3. The Divisional Railway Manager,  
Northern Railway,  
State Entry Road,  
New Delhi.
4. The Assistant Signal and  
Telecommunication Engineer (Special)  
DRM Office,  
New Delhi

Respondents

(By Advocate: Shri P.S. Mahendru)

ORDER (Oral)

The applicant submits that after his engagement as casual labour in 1996, he acquired temporary status and his name was put up for screening test held in 1979. The result of the screening test was declared in 1980 and the applicant submits that his position was 680 in a panel of 1200. His grievance is that though his juniors have already been

①

(20)

taken on duty and been absorbed his case has been left out. He has therefore come before the Tribunal with the prayer that the respondents be directed to consider his case according to his position on the panel from the date of his juniors had been so appointed. The respondents in their reply have stated that the case of the applicant has since been processed for obtaining approval of the General Manager, Northern Railway, for re-engagement.

2. We have heard the counsel. The panel was prepared in 1980 and the respondents have not denied that the persons junior to the applicant in the panel have been absorbed. In fact they state as per their reply in para 4.9 that nothing concrete was done in the matter either to obtain modification of the order or to take steps for regularisation of the applicant. Delay, thus, has been entirely on the part of the respondents in considering the case of the applicant for re-engagement and regularisation in accordance with his position in the panel.

3. In view of the facts and circumstances of the case, I consider it appropriate to dispose of the case with the direction that the respondents will take a final decision within three months from the date of receipt of a copy of the order for the re-engagement and further regularisation of the applicant in accordance with the panel prepared in 1980. The

applicant will also be entitled when so appointed to seniority in accordance with the date of appointment of his immediate juniors in the panel.

(21)

No order as to costs.

*R.K. Alooja*  
(R.K. Alooja)  
Member (A)

\*Mittal\*