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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

C.P. NO. 338/2000

in

O.A. NO. 785/1997

New Delhi this the 21st day of November, 2000

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI S.A.T.RIZVI, MEMBER (A)

1. All India Parcel Porters Association  
Through its Secretary  
Shri Vishawanth Singh  
S/o Shri Nathu Singh  
Northern Railway  
Kanpur Railway Station  
Kanpur (UP)
  2. Shri Ram Singh Yadav  
S/o Shri Nathu Singh
  3. Shri Ram Kewal Singh  
S/o Shri Shrideo Singh
  4. Parcel Porters Association  
Through its nominated Secretary  
Shri Ashok Kumar  
S/o Shri Ram Pal Singh  
Working as Parcel Porter  
Aligarh Railway Station  
Northern Railway  
Aligarh (UP)
  5. Shri Tariq Khan  
S/o Shri Shareeq Khan
  6. Shri Israr Ali Khan  
S/o Shri Abdul Rahman
  7. Shri Dara Khan  
S/o Shri Darab Khan
  8. Shri Waseem Ahmad  
S/o Naseer Ahmed
  9. Shri Akhtar Khan  
Shri Asar Khan
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10. Shri Bilal Khan  
S/o Shri Aman Khan
11. Shri Naeem Khan  
S/o Shri Jabir Khan
12. Shri Mohammed Saleem  
S/o Shri Ali Mohammed
13. Shri Prakash Chand Srivastava  
S/o Shri Murari Lal Srivastava
14. Shri Jhaman Lal  
S/o Shri Bankey Lal
15. Shri Bhulenshah  
S/o Shri Bashambar Dayal
16. Shri Raj Pal  
S/o Jamna Prasad
17. Shri Kamlesh  
S/o Shri Tula Ram
18. Shri Sohal Lal  
S/o Shri Ram Swaroop
19. Shri Ram Nath  
S/o Shri Khamni Lal
20. Shri Sunder Singh  
S/o Shri Pyarey Lal

(Applicants No.5 to 20 are c/o Parcel Office Bareilly Junction  
Railway Station, Bareilly, UP).

21. Shri Rais Ahmad  
S/o Shri Hussain Ahmad  
C/o Mal Godown Balamau  
Railway Station, UP
22. Shri Ramveer Sharma  
S/o Shri Pyarey Lal
23. Shri Deepak Gupta  
S/o Shri Kailash Gupta
24. Shri Lakhan Singh  
S/o Shri Khayali Ram
25. Shri Phool Singh  
S/o Shri Chhiddu Singh

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26. Shri Kallash  
S/o Shri Khayali Ram

( Sl. No. 21 to 26 are C/o Parcel Officer, Aligarh Railway Station,  
Aligarh, UP).

27. Shri Balny Prasad  
S/o Shri Hanuman Prasad

28. Shri Daya Shankar  
S/o Shri Bansi Lal

29. Shri Pappy  
S/o Shri Sudama Ramji

(Sl.No.27 to 29 are C/o Parcel Officer ,Ajmer Railway Station,  
Western Railway, Ajmer (Rajsthan)

(applicants No.4 to 29 are allowed as intervenor applicants vide  
order dated 16-12-1997).

Versus

1. Union of India  
Through its Chairman  
Railway Board  
Railway Bhawan  
New Delhi
2. The General Manager  
Northern Railway  
Headquarters Office  
Baroda House  
New Delhi
3. The Divisional Railway Manager  
Northern Railway Divisional Office  
Civil Lines  
Allahabad (UP)
4. The Divisional Railway Manager  
Northern Railway Divisional Office  
Hazratganj, Lucknow (UP)
5. The Divisional Railway Manager  
Northern Railway Divisional Office  
Moradabad (UP)
6. The Divisional Railway Manager  
Northern Railway Divisional Office  
Bikaner (UP)
7. M/s Goldstar Sarpathi Sarkari Shram Samidha Samiti Limited  
Parcel Handling Contractor



Northern Railway  
Station Mirzapur (UP)

8. The Janta Labour Cooperative Society Limited  
Kanpur (UP)
9. Parcel Handling Contractor  
Northern Railway  
Railway Station Kanpur  
(UP)
10. Bikaner goods Handling Shramik Theka Sarkari Samiti Limited
11. Parcel Handling Contractor  
Railway Station  
Northern Railway  
Bikaner (UP)
12. M/s Borla Kanulpur Cooperative Coal Parcel  
Goods Handling LO Society Limited  
Railway Station  
Rewari (Haryana).
13. M/s Railway Sarkari Shram Samidha Samiti Limited  
Parcel Handling Contractor  
Northern Railway  
Railway Station Tundla Junction  
(UP)

...Respondents

And

IN THE MATTER OF:

- (1) Naubat Ram S/o Shri Durga,
- (2) Sharad Kumar Sharma S/o JP Sharma,
- (3) Rajbir S/o Rattan Lal,
- (4) Shaukat S/o Subedar,
- (5) Kishore S/o Nanhe,
- (6) Raghubir S/o Nanhe,
- (7) Jal Lal S/o Har Dayal,
- (8) Chander Sen S/o Udal Singh,
- (9) Himmat Singh S/o Ram Swarup,
- (10) Narender Kumar S/o Daulat Ram,
- (11) Sompal Singh S/o Imrat Singh,
- (12) Bachan Singh S/o Basant Ram,
- (13) Ramesh S/o Lekh Raj,
- (14) Manish Chandra S/o Munna Singh,

Ref



- (15) Mahender Singh S/o Lekh Raj,
- (16) Mukesh Kumar S/o Bhagwan Dass,
- (17) Babu Ram S/o Duli Ram,
- (18) Daljit Singh S/o Mehar Singh
- (19) Chander Pal Singh S/o Attar Singh,
- (20) Mukesh Kumar S/o Shyam Bahadur
- (21) Rajesh Kumar S/o Munna Singh,
- (22) Har Swarup S/o Jeewa Ram
- (23) Ramesh S/o Govind
- (24) Khushi Ram S/o Pratap Singh,
- (25) Umesh Chandra S/o Nayan Singh,
- (26) Har Kishore S/o Shankar Lal,
- (27) Pyare Lal S/o Chet Ram,
- (28) Govind Ram S/o Ganga Ram,
- (29) Harish Chandra S/o Pura Singh,
- (30) Harcharan Singh S/o Shiv Charan Singh
- (31) Jashoda Nandan S/o KL Tikka,
- (32) Chander Sen S/o Mohan Lal,
- (33) Shamshad S/o Banne
- (34) Sanjay Kumar S/o Budha Singh,
- (35) Pramod Kumar S/o Asharft Lala,
- (36) Nishad Khan S/o Chamman Khan,
- (37) Virender Kumar S/o Prabhu Dayal,
- (38) Kamesh Chander S/o Nayan Singh and
- (39) Sachin Gautam S/o Kishan Kumar

All working as Parcel Porters at  
Railway Station Moaradabad,  
Northern Railway  
Moradabad (UP)

Versus

...Applicants

1. Shri Subhash P. Mehta  
General Manager  
Northern Railway  
Baroda House  
New Delhi

*[Handwritten signature]*



2. Shri S.M.Bhardwaj,  
Divisional Railway Manager,  
Northern Railway,  
Moradabad.
3. Shri Naveen Shukla,  
Divisional Commercial Manager,  
Northern Railway,  
Moradabad.
4. Shri K.L.Bhoria,  
Divisional Personnel Officer,  
Northern Railway,  
Moradabad.

... Respondents

Applicants : By Shri D.K.Garg, Advocates.

Respondents: By Shri V.S.R.Krishna and Shri  
H.K.Ganguani, Advocates.

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

Applicants in the present contempt petition are Parcel Porters. By the present petition they allege non observance of an order passed by the Tribunal on 16.12.1997 in O.A. No.785/97. Based on the order they claim regularisation as Parcel Porters. According to them, respondents in breach of the directions issued have regularised the services of Porters who are junior to the applicants in preference to the applicants. They inter alia claim regularisation of their services. Based on the averments contained in the petition, by an order passed on 20.9.2000 notices were directed to be issued. On 23.10.2000 Shri V.S.R.Krishna, the learned counsel appearing for the respondents produced a copy of an order passed by the Supreme Court in Writ Petition (Civil) No.433 of 1998 on 8.9.2000 which has directed as under :

*[Handwritten signature]*

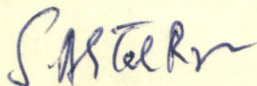


"Pending disposal of these petitions, there shall be no regularization of parcel porters working at different railway stations notwithstanding any order of any Court, Tribunal or other authority."

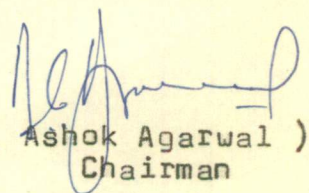
2. Applicants in the present case are represented by their counsel Shri D.K.Garg. The said counsel was very much before the Supreme Court when it passed the aforesaid order on 8.9.2000. However, the said order was not brought to our notice by him when we issued notices on 20.9.2000.

3. As far as the claim for regularisation is concerned, it is clear that the same has been banned by the aforesaid order passed by the Supreme Court. Applicants, in the circumstances, cannot now claim regularisation based on the present contempt petition. As far as their grievance in regard to others who are juniors having been regularised is concerned, an enquiry on the said issue at this juncture, we find, will be futile in view of the aforesaid order of the Supreme Court banning further regularisation. *whereby services of applicants cannot be regularised*

Present contempt petition, in the circumstances, is dismissed. It is clarified that it will be open to the applicants, if so advised, to once again approach the Tribunal in case the aforesaid order of the Supreme Court is vacated or varied in their favour. No costs.



( S.A.T. Rizvi )  
Member (A)



( Ashok Agarwal )  
Chairman

/as/