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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.2143/1997

New Delhi this the 29th day of November, 1999.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

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

1. Subodh Kumar Sharma
S/o Sh. Balram Pd. Sharma
Rtd. Loco Office Superintendent
Near Railway Gurudwara
Chungi Wali Gali
Rambeer Colony
Jind Junction
Haryana.

2. Sultan Singh
S/o Gulab Singh
R/o Village Ramgarh
P.O. Bibipur
Distt. Jind
Ramgarh
Haryana

...Applicants

(By Advocate Shri D.N.Goburdhun)

-Versus-

1. Union of India through
Secretary,
Ministry of Railways,
New Delhi.

2. The General Manager,
Northern Railways
Baroda House
New Delhi.

3. The Chief Engineer (C),
Indian Railways,
Kashmere Gate,
Delhi.

... Respondents

(None for the respondents)

O R D E R (ORAL)

Shri R.K. Ahooja, Member (A):

We have heard the learned counsel for the applicants. None, however, has appeared on behalf of the respondents.

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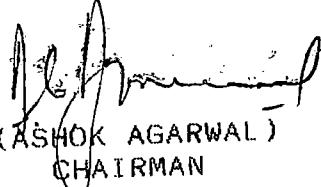
2. The short question involved in this case is whether the applicants were entitled to be considered for regularisation on the strength of the casual labour rendered by them with the respondents. The Delhi Division of the Northern Railway sent a list of 282 persons to the General Manager for according ex post facto approval for their re-engagement, but due to clerical or typing mistake the names of the applicants were left out. Later on the respondents, discovering their mistake sent another letter to the General Manager, but the names of the applicants were not included in the list although juniors whose names were in the earlier list were regularised and appointed as Khalasi.

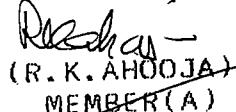
3. The respondents in their reply have admitted that the applicants had worked as casual labour and their names had also been sent vide letter dated 16.9.1994 for ex post facto sanction. They have, however, not stated as to what has happened to this letter and what decision was ultimately taken by the General Manager.

4. In view of the above mentioned facts, we dispose of this case with a direction to the General Manager, Northern Railway, Baroda House, New Delhi, i.e. Respondent No.2 to take a decision on letter Nos.220-E/190-XI-A/EIV dated 23.3.1994 and 220-E/0/Screening/92 dated 23.5.1997 on the same basis as was done in the case of 282 persons whose list was sent earlier and if the applicants are found fit grant them regularisation from the same date. Such regularisation will entitle the applicants to all

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consequential benefits except monetary benefits. This will be done within a period of three months from the date of receipt of a copy of this order by the respondents. No costs.


(ASHOK AGARWAL)
CHAIRMAN


(R.K. AHOOJA)
MEMBER(A)

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