

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH

NEW DELHI.

OA 2052/94

62A

New Delhi this the 21th day of July, 1997

Hon'ble Shri S.R. Adige, Member (A)

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Shri Raj Kumar  
s/Shri Ramkeshwar Singh

2. Shri Tooso Ram s/o Shri Sudan

3. Shri Neter Pal Singh s/o  
Shri Vishal Singh

4. Shri Ram Lal  
s/o Shri Ahorva Deen

5. Shri Sat Pal Singh  
s/o Shri Gange Singh

6. Shri Brij Kishore s/o  
Shri Chhida Singh

7. Shri Khacher Singh s/o  
Shri Chhida Singh

8. Shri Hari Baboo s/o  
Shri Ram Parkash

9. Shri Jagdish Singh  
s/o Shri Sukhbasi Lal.

10. Shri Ramkeshwar s/o  
Shri Yadram

11. Shri Smt. Ganga Devi d/o  
Shri Putto Lal

12. Sh. Lal Jeet s/o Shri  
Lekha Ram

13. Sh. Lila Dhar s/o  
Shri Shiv Lal

14. Shri Moti s/o Shri Jai Lal

15. Shri Baldev s/o  
Shri Chandu Ram

16. Shri Hori Lal s/o  
Shri Puran Lal

17. Shri Meusa Ram s/o Shri Lal Jeet

18. Shri Subedar s/o Shri Mishry Lal

19. Shri Mani Lal s/o Sh. Ganga Parshad

20. Shri Prem s/o Shri Simroo

21. Shri Samai Singh s/o  
Shri Surta

22. Shri Raj Kumar s/o  
Munna Lal

23. Shri Tej Ram  
s/o Shri Bhim

24. Sh. Rambir Singh s/o  
Shri Devi Singh

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25. Sh. Sikander s/o Sh. Karim Bux  
26. Sh. Satpal Singh s/o Chuhur Singh  
27. Sh. Sh. Jang Bahadur Singh s/o  
Shri Jaipal Singh  
28. Shri Mahesh Cjamd s/o Shri  
Mallo.  
29. Shri Sh. Shyam Sunder s/o  
Gaya Pd.  
30. Shri Nain Singh s/o  
Shri Naryan Singh  
31. Shri Chootey s/o  
Shri Dammar  
32. Shri Ram Kumar s/o  
Rudra Pd.  
33. Sh. Prem Pal Singh s/o  
Shri Suraj Pal Singh  
34. Sh. Virinder s/o Sh. Dhan Pal.  
35. Shri Ramchander s/o Sh. Dullar  
36. Shri Molhar s/o Shri Chhajoo.  
37. Shri Kishan s/o Shri Kalyan  
38. Shri Ved Ram s/o  
Shri Angeny Ram  
39. Shri Munshi Lal s/o  
Shri Etwari Lal.  
40. Shri Ram Bhoop s/o Shri Mahi Lal.  
41. Shri Malkhan Singh s/o Shri Babu Lal  
42. Shri Ramji Lal s/o Sh. Makhan Lal.  
43. Shri Kushe Ram s/o Sh. Suddan Ram.  
44. Shri Rakesh Chand s/o Sone Lal.  
45. Shri Cheeranjee s/o Sh. Hukam Singh  
46. Shri Ram Shanker s/o Sh. Khiladi Ram  
47. Shri Nathoo s/o Shri Har Prasad.  
C/o Shri Raj Kumar  
Civil Engineer(Constr.) N.R.  
Bareilly.

.... Applicants

(By Advocate Shri Shankar Divote )

Vs.

1. Union of India through Secretary and  
General Manager,  
N.R. Railway Bhawan, New Delhi.
2. Chief Administrative Officer(Constr.)  
B.R. Kashmiri Gate, New Delhi.
3. Divnl. Rly Manager, N.R. Ambala Cantt.

2

4. Senior Civil Engineer(Const.)  
Northern Railway, Bareilly.

(By Advocate Shri R.L.Dhawan )

... Respondents

26

ORDER (ORAL)

(Hon'ble Shri S.R. Adige, Member (A))

Applicants, numbering 46 (one having expired since filing the DA) and working as Casual Labourers in Construction line in Delhi, Ambala, Ferozpur and Moradabad Divisions of Northern Railway, seek a direction for regularisation after screening with effect from the date of completion of 120 days service, with consequential benefits.

2. We are told that out of the 46 applicants, 32 are working in Delhi Division, 11 in Ambala Division one in Ferozpur Division and two in Moradabad Division.

3. Shri Dhawan has raised a preliminary objection of jurisdiction and contends that applicants working in Ferozpur, Ambala and Moradabad do not come within the jurisdiction of this Tribunal. In this connection Shri Divate draws our attention to the Tribunal's order dated 27.10.1993 in TA 23/91- Shri Charan Singh and Ors v. UOI & Ors and connected cases. In para 8 of that judgment, it has been held that as the Office of the Chief Administrative Officer(Construction), under whom these applicants were working, was situated in Delhi, and the said functionary had to send the names of casual labourers working under him to the concerned division for purpose of screening, the cause of action had arisen partly with the CAD(Construction) which was situated in Delhi and hence that DA, within the jurisdiction of this Bench. Nothing has been shown by respondents to suggest that the said judgment in Charan Singh's case (Supra) has been stayed, modified or set aside, and we are satisfied that the ratio of that judgment is fully applicable to the facts and circumstances of the present DA before us, with which ratio we, as a coordinate Bench, are bound. Hence this preliminary objection is rejected.

4. We are told by Shri Dhawan that out of the 32 in Delhi Division, 27 have been screened; and the one in Ferozpur, and the two in Moradabad Division have also been screened. In respect of the 11 in Ambala Division,

2

27

Shri Dhawan states that he does not have information readily available.

5. After hearing both sides, we dispose of this OA with the following directions:-

- (i) In respect of those who have already been screened, their results should be published by respondents in the respective divisions within two months from the date of receipt of a copy of this judgment.
- (ii) Such of those applicants who have been successful in the screening test and are otherwise eligible for regularisation should be considered for regularisation <sup>subject to availability of vacancies</sup> strictly in turn and in accordance with their seniority, determined as per rules and instructions on the subject.
- (iii) Such of those who have not been screened as yet, respondents should consider screening them strictly in turn and in accordance with their seniority determined as per rules and instructions on the subject.

6. O.A. disposed of accordingly. No costs.

Lakshmi  
(Smt. Lakshmi Swaminathan)  
Member (J)

Adige  
(S.R. Adige)  
Member (A)

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