

(25)

Central Administrative Tribunal  
Principal Bench

C.P.No.140/98 in  
O.A.No.2460/96

Hon'ble Mr. Justice K.M.Agarwal, Chairman  
Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this the 17th day of August, 1998

Shankar Sharma  
s/o Late Shri T.N.Sharma  
Mandi Chowk, Sahu Mohalla  
Moradabad.

... Applicant

(By Shri D.S.Garg, Advocate)

Vs.

1. P.C.Sharma  
Divisional Railway Manager  
Northern Railway H.Q.  
Baroda House  
New Delhi.

2. Shri Subhash Mehta  
General Manager  
Northern Railway H.Q.  
Baroda House  
New Delhi.

3. The Secretary  
Railway Board  
Ministry of Railways  
Rail Bhawan  
New Delhi.

... Respondents

(By Shri P.S.Mahendru, Advocate)

O R D E R (Oral)

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


The petitioner along with 14 others had filed OA No.2460/96 which was disposed of by an order dated 23.9.1997 with the following directions:


"the applicants will file a proper representation within a period of three months of the date of receipt of a copy of this order to the concerned D.R.M. giving full particulars of their employment with the requisite proof of such engagement. The concerned D.R.Ms will have their claims examined and if it is established that they had worked after 1.1.1981, their names will be placed on the live casual labour register and will be offered re-engagement in accordance with their seniority in the said register and as per law. This will be done within a period of three months after the applicants make their representations."

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2. The petitioner submits that the respondents have not considered his representation even though it was filed on 13.10.1997 giving full particulars of his earlier employment with requisite proof of last engagement. The alleged contemners have filed a reply. They submit that the records were examined but no entry regarding the engagement of the applicant was found. The applicant was also personally heard but even then no proof of his engagement could be verified. In these circumstances, they had conveyed the decision to the applicant vide their letter dated 11.2.1998.

3. The learned counsel for the petitioner argues that sufficient proof was given to the respondents to establish his service and his entitlement to have his name placed on the Live Casual Labour Register. He therefore alleges that proper consideration was not given to his case. We are unable to agree with the learned counsel for the applicant. The directions of the Tribunal have been complied by the respondents in that the representation of the applicant has been duly considered and the result thereof has been communicated to him. If he is aggrieved by the conclusion of the respondents, it is open to him to agitate the matter further, if so advised, as per law. The Contempt Petition is therefore closed. Notices issued will stand discharged.

  
(K.M. Agarwal)  
Chairman

  
(R.K. Ahooja)  
Member(A)

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