

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

(b)

O.A. NO.1711/1994

M.A. NO.2034A/1994

Monday this the 18th November, 1996.

HON'BLE SHRI JUSTICE CHETTUR SANKARAN NAIR, CHAIRMAN
HON'BLE SHRI S. P. BISWAS, MEMBER (A)

Mohinder Pal S/O Nathu Singh,
Ex Casual Labour under
Station Master,
Northern Railway,
Balamau.

... Applicant

(By Shri B. S. Mainee, Advocate)

-Versus-

1. Union of India through
General Manager,
Northern Railway,
Baroda House,
New Delhi.

2. Divisional Railway Manager,
Northern Railway,
Moradabad.

... Respondents

(By Shri R. L. Dhawan, Advocate)

The application having been heard on 18.11.1996
the Tribunal on the same day delivered the
following :

O R D E R

CHETTUR SANKARAN NAIR (J), CHAIRMAN —

Applicant seeks re-engagement, eight years
after his services were terminated, by moving this
application. We do not propose to make a roving
inquiry into the facts, as such an inquiry is not
justified in the light of the decision in Rattan
Chandra Samanta vs. Union of India, AIR 1993 SC 2276.
Notwithstanding this, we are informed that there is
an instruction in Railway Board's circular No.
E(NG)II/78/CL/2 dated 25.4.1987 requiring the
names of :

...2.


(A)


"such casual labour who are discharged at any time after 1.1.1981 on completion of work or for want of further productive work continue to be borne on the live casual labour register..."

Respondents will examine whether on the facts this circular governs the case of applicant. After such examination a reply will be given by respondents to applicant and this will be done within four months from today. We make it clear that this direction by itself will not confer a cause of action on applicant.

2. Application is disposed of as aforesaid.
No costs.

Dated, 18th November, 1996.


(S. P. Biswas)
Member(A)


(Chettur Sankaran Nair, J.)
Chairman

/as/