

CENTRAL ADMINISTRATIVE TRIBUNAL:PRINCIPAL BENCH.

New Delhi this the 1st day of March, 1995.

Hon'ble Shri N.V. Krishnan, Vice Chairman(A).

Hon'ble Dr. A. Vedavalli, Member(J).

1. M.A. 81/95,
O.A. 2394/92.

Mahabir Singh,
S/o Shri Har Lal,
H.No. 141, Vill- Dhansa,
Najafgarh,
New Delhi.

..Applicant.

By Advocate Shri V.P. Sharma.

Versus

1. Union of India through
The General Manager,
Northern Railway, Baroda House,
New Delhi.
2. The Secretary,
Railway Board, Rail Bhawan,
New Delhi.
3. The Divisional Railway Manager,
Northern Railway, Firozepur Dn.,
Firozepur (Punjab).
4. The Permanent Way Inspector,
Northern Railway,
Firozepur Cantt (Punjab). ..Respondents.

By Advocate Dr. B.N. Mani.

2. M.A. 3947/94,
O.A. 2395/92.

Ram Avtar,
S/o Shri Ram Parshad,
Hira Park, Najafgarh,
New Delhi.

..Applicant.

By Advocate Shri V.P. Sharma.

Versus

1. Union of India through
The General Manager,
Northern Railway, Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway,
Bikaner.
3. The Secretary,
Railway Board, Rail Bhawan,
New Delhi. ..Respondents.

By Advocate Shri Romesh Gautam.

3. M.A. 56/95,
O.A. 2476/92.

1. Kazodmal, S/o Shri Balai Lal.
2. Panna lal, S/o Shri Mangal Ram.
3. Narain Meena, S/o Shri Ganga Ram Meena.
4. Parkash, S/o Shri Sanwal.
5. Gyarsa, S/o Shri Bhusa.
6. Rati Ram, S/o Shri Jhutha Ram.
7. Hardwari, S/o Shri Surjan.
8. Dilbag Singh, S/o Shri Moji Ram.
9. Ram Narain, S/o Shri Birdhu.
10. Sohan Lal, S/o Shri Hadu Ram.
11. Ganesh, S/o Shri Ghansu Lal.

(All R/o F-Block, Raj Nagar, Palam Colony, New Delhi).
...Applicants.

By Advocate Shri V.P. Sharma.

Versus

1. Union of India through the General Manager, Western Railway, Churchgate, Bombay.
2. The Divisional Railway Manager, Western Railway, Jaipur.
3. The Assistant Engineer, Western Railway, Alwar.
4. The Assistant Engineer, Western Railway, New Delhi, Bandikui.

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5. The Chief Permanent Way Inspector,
Western Railway,
Fulera (Raj).

6. The Secretary, ~~Ministry of~~
Railway Board,
Rail Bhawan,
New Delhi.

... Respondents.

By Advocate Shri Romesh Gautam.

4. M.A. 80/95,
O.A. 2771/92.

Hari Singh,
S/o Shri Karwa Ram,
C/o Suresh Chand Agarwal,
Sri Niwas Puri, New Okhla,
New Delhi.

... Applicant.

By Advocate Shri V.P. Sharma.

Versus

1. Union of India through
The General Manager,
Central Railway,
Bombay.

2. The Divisional Railway Manager,
Central Railway, ~~station~~ town of
Jhansi.

3. The Asstt. Engineer, ~~station~~ town of
Central Railway,
Mathura (UP).

... Respondents.

By Advocate Shri Romesh Gautam.

5. M.A. 83/95,
O.A. 36/94.

Ramesh Chand, ~~station~~ town of
S/o Shri Shimbu Ram, ~~station~~ town of
RZF-117/2, St.No.40,
Sadh Nagar-II, Palam Colony,
New Delhi.

... Applicant.

By Advocate Shri V.P. Sharma.

Versus

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

2. The Divisional Railway Manager,
Bikaner Division,
Bikaner (Raj).

3. The Assistant Engineer, (Meter Gauge),
Northern Railway Station,
Delhi Jn.

... Respondents.

By Advocate Shri K.K. Patel.

6. M.A. 3142/94, लिखा दुष्ट एवं
O.A. 1856/94. लिखा दुष्ट एवं

Attar Singh, लिखा दुष्ट एवं
 S/o Shri Ghanshyam, लिखा दुष्ट एवं

7. M.A. 3143/94, लिखा दुष्ट एवं
O.A. 1857/94. लिखा दुष्ट एवं

Bir Singh, लिखा दुष्ट एवं
 S/o Shri Ram Singh, लिखा दुष्ट एवं

8. M.A. 3144/94, लिखा दुष्ट एवं
O.A. 1858/94.

Amar Singh,
 S/o Shri Jayram, लिखा दुष्ट एवं

9. M.A. 3145/94, लिखा दुष्ट एवं
O.A. 1859/94. लिखा दुष्ट एवं

Dal Chand, लिखा दुष्ट एवं
 S/o Shri Pat Ram Singh, लिखा दुष्ट एवं

10. M.A. 3146/94, लिखा दुष्ट एवं
O.A. 1860/94. लिखा दुष्ट एवं

Ramroop, (एम) लिखा दुष्ट एवं
 S/o Shri Chajju Singh, लिखा दुष्ट एवं

11. M.A. 3147/94, लिखा दुष्ट एवं
O.A. 1861/94. (एम) लिखा दुष्ट एवं

Chetram, लिखा दुष्ट एवं
 S/o Shri Shiv Charan, लिखा दुष्ट एवं

12. M.A. 3260/94, लिखा दुष्ट एवं
O.A. 1912/94.

Kirpal, लिखा दुष्ट एवं
 S/o Shri Nathu, लिखा दुष्ट एवं

13. M.A. 3261/94, लिखा दुष्ट एवं
O.A. 1913/94.

Bharat Singh, लिखा दुष्ट एवं
 S/o Shri Ram Swaroop, लिखा दुष्ट एवं

14. M.A. 3262/94, लिखा दुष्ट एवं
O.A. 1914/94.

Prakash Singh, लिखा दुष्ट एवं
 S/o Shri Tulsi, लिखा दुष्ट एवं

15. M.A. 3263/94,
O.A. 1915/94.

Daya Nand Sharma, ~~Advocate~~ ^{Advocate}
S/o Shri Sunder Lal. ~~Advocate~~ ^{Advocate}

16. M.A. 3264/94,
O.A. 1916/94.

Girish Pal, ~~Advocate~~ ^{Advocate}
S/o Shri Tulsi. ~~Advocate~~ ^{Advocate} ... Applicants.

(All residing at C/o Shri Brahm Pal,
Guru Gobind Gali, Room No. 5, Delhi).

By Advocates Shri S.P. Singha with Shri S.N. Gupta.

Versus

1. Union of India ~~Advocate~~ ^{Advocate}
through the Secretary,
Ministry of Railways, Railway Board,
Rail Bhawan, New Delhi-110 001.

2. The General Manager, ~~Advocate~~ ^{Advocate}
Northern Railway, ~~Advocate~~ ^{Advocate}
Baroda House, New Delhi-110 001.

3. The Divisional Railway Manager,
Northern Railway, Moradabad Division,
Moradabad (UP).

4. The Permanent Way Inspector,
Northern Railway, ~~Advocate~~ ^{Advocate}
Bijnore (UP). ~~Advocate~~ ^{Advocate} ... Respondents.

By Advocate Shri K.K. Patel. ~~Advocate~~ ^{Advocate}

ORDER (QRAL) ~~Advocate~~ ^{Advocate}

Hon'ble Shri N.V. Krishnan, Vice Chairman(A).

All the above cases are being disposed of by a common order with the consent of the learned counsel for the parties. The applicants, who were casual labourers in the Railways, were engaged for sometime but ultimately they were disengaged. The applicants stated that in accordance with the standing instructions of the Railway, they are entitled to have their names included in the live list of casual labourers. Hence, they have prayed for their regularisation in accordance with their seniority and for reengagement in service till so regularised.

A similar application by a number of casual labourers, Net Ram & Ors. Vs. The General Manager has. disposed of and labourers, Net Ram & Ors. Vs. The General Manager has. disposed of and & Ors., O.A. 2441/91 has been disposed of on 26.3.94.

The learned counsel for the parties agreed that all the above mentioned cases can also be disposed of in the light of the above order.

3. Therefore, M.As filed in the O.As listed at serial Nos. 1 to 5 for disposal of the O.As on the basis of Net Ram's judgement stands disposed of and M.As filed at serial No. 6 to 16 for condonation of delay are allowed and the delay is condoned.

4. In the circumstance, we dispose of all the O.As granting permission to the applicants to submit within one month from the date of receipt of the order a detailed representation to the concerned authorities giving full particulars of their service along with proof to substantiate the claim that they have a right to have their names included in the Live Casual Labour Register as mentioned in the memo dated 28.8.1987 of the General Manager, Northern Railway, referred to in para 16 of the order in Net Ram's case (Supra). In case such representations are received, the respondents are directed to dispose of them in accordance with law keeping in view the provisions of the circular issued by the Railway, as indicated above, within a period of four months from the date of receipt of such representations under intimation to the applicants. We, however, make it clear that in case the applicants' names are included in that register and if the services of casual labour are still needed, the respondents shall engage the applicants in accordance with their seniority in that register in preference to outsiders and juniors.

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5. The O.As are disposed of accordingly.
6. This order shall be kept in O.A. 2394/92 and copies of this order shall be placed in each of the other O.As.

(DR. A. VEDAVALLI)
MEMBER(J)

(N.V. KRISHNAN)
VICE CHAIRMAN(A)

'SRD'

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21/3/88

Central
Human Rights
Commission
Parliament House,
New Delhi