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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

CP-370/94 in
OA-1517/93

Date of decision 26-7-1995

Hon'ble Shri N.V. Krishnan, Vice Chairman (A)
Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Shri Gajram Singh
s/o Shri Lakhan Singh
r/o 75, Gali No.5, Morar Bandh Colony Extn.
Badarpur, New Delhi.

..Petitioner

(By Advocate Shri S.K.Sawhney)

Versus

1. Shri Lalit Kumar Sinha
General Manager,
Northern Railway,
Baroda House, New Delhi.
2. Sh. Mohammad-Zaki-Uddin Ansari,
Divisional Railway Manager,
Northern Railway, Muradabad.
3. Shri Asutosh,
Asstt.Engineer, Northern Railway,
Hapur.
4. Shri R.K. Kushurba,
Inspector of Works,
Northern Railway,
Gajrola, District, Muradabad.

..respondents.

(By Advocate Shri P.S. Mahendru)

O R D E R (ORAL)

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

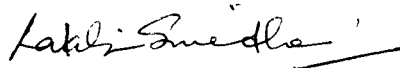
We have heard the parties. The order dated 7-2-1994 in OA 1517/93 directs the respondents to consider the case of the petitioner for a fresh appointment on merits and in accordance with law on the footing that he is borne on the live casual register. The petition has been filed on the ground that the petitioner was not so considered. In the reply, it is stated that the petitioner has only 273 working days whereas others have been considered

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because they have worked for a larger number of days.

2. Learned counsel for the petitioner contends that this is incorrect.

3. We are of the view that, in that case, it is open to challenge the action of the respondents in a separate O.A. on the question that the persons junior to the petitioner had already been considered for appointment. Accordingly, we dismiss this petition and discharge the notice issued to the respondents preserving liberty of the petitioner to challenge the action of the respondents in a proper proceeding as may be advised in accordance with law.



(Smt. Lakshmi Swaminathan)

Member (J)


26.7.85

(N.V. Krishnan)

Vice Chairman (A)

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