

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1924/2000  
WITH  
O.A.NO.1283/2000

(A)

Tuesday, this the 16th day of October, 2001

Hon'ble Shri Justice Ashok Agarwal, Chairman  
Hon'ble Shri S.A.T. Rizvi, Member (A)

OA-1924/2000

1. Shri Virender Singh Verma  
S/O Shri Shaligram Verma  
Mobile Booking Clerk  
North Eastern Railway  
Railway Station  
Pilibhit
2. Shri Ashok Kumar Misra  
S/O Shri Hosla Prasad Misra  
Mobile Booking Clerk  
North Eastern Railway  
Railway Station  
Kasganj.
3. Shri Ram Prasad  
S/O Shri Bholey,  
Mobile Booking Clerk  
North Eastern Railway  
Railway Station  
Lalkua Jnc.
4. Shri Om Prakash  
S/O Shri Ram Nath  
Mobile Booking Clerk  
North Eastern Railway  
Railway Station  
Pilibhit

..Applicants

(By Advocate: Ms. Meenu Mainee)

Versus

Union of India through

1. The Chairman  
Railway Board  
Ministry of Railways  
Rail Bhavan, Raisina Road  
New Delhi
2. The General Manager  
North Eastern Railway  
Gorakhpur
3. The Divisional Railway Manager  
North Eastern Railway  
Izatnagar.

...Respondents

(By Advocate: Shri B.S.Jain)

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OA-1283/2000

1. Shri Girish Chander Saxena  
S/O Shri Kailash Chand Saxena  
Mobile Booking Clerk  
North Eastern Railway  
Izzatnagar (Bareilly)
2. Shri Prabhat Kumar Agarwal  
S/O Shri K.M.Lal  
Mobile Booking Clerk  
North Eastern Railway  
Budayun.

..Applicants

(By Advocate: Ms. Meenu Mainee)

Versus

Union of India through

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Izzatnagar.

...Respondents

(By Advocate: Shri B.S.Jain)

O R D E R (ORAL)

By Hon'ble Shri S.A.T. Rizvi, AM:-

MA-2341/2000 in OA-1924/2000 and MA-1605/2000 in OA-1283/2000 for joining together in a single petition are allowed.

2. In these OAs, the applicants seek directions to the respondents to hold screening tests and regularise their services from the dates they completed three years of service. Aforesaid relief is claimed on the basis of directions issued by the Tribunal in OA-796/1991 and OA-268/1991. Aforesaid OAs which had been filed by the

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applicants herein had been allowed with directions to the respondents to reengage the applicants as Mobile Booking Clerks and to grant them temporary status after having put in 120 days' continuous service and further grant them absorption against regular vacancies as and when they fulfil the conditions prescribed for the purpose in accordance with the relevant instructions. Service put in by the applicants before they were disengaged was directed to be counted for computing the period of three years of service which is a condition precedent for consideration for absorption against the regular vacancies.

3. In result, by their letter dated 2.7.1996, the respondent-authority has asked for details of the applicants so as to carry out their screening test and to regularise them in due course. After nearly four years therefrom, the respondent-authority has issued letter dated 20/21.3.2001 (Annexure A-1 to the counter) by which they have undertaken to screen test the remaining MBCs, including applicants, who are 103 in number. According to the learned counsel appearing for the respondents, the applicants as well as the others included in the aforesaid 103 candidates will be considered for regularisation subject to the various conditions laid down in the aforesaid letter of 20/2.3.2001. The process in question, according to him, is on. The applicants are at present working as MBCs and are thus not without work. They will remain at work until a decision in regard to regularisation has been taken. It is hoped that the matter will be finally decided and regularisation orders issued within the next six months. Needless to say that each of the

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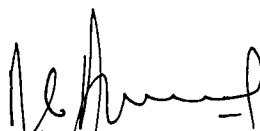
applicants will be considered and will be regularised subject to conditions mentioned in the aforesaid letter of 20/21.3.2001.

4. The present OAs are disposed of in the aforestated terms. No costs.

5. MA-2294/2000 in OA-1924/2000 for condonation of delay stands disposed of.

6. Registry is directed to place a copy of this order in the case file relating to OA-1283/2000.

  
(S.A.T. Rizvi)  
Member (A)

  
(Ashok Agarwal)  
Chairman

/sunil/