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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH.

D.A.No.2295/89

New Delhi this the 11th day of May, 1994.

Shri Justice V.S. Malimath, Chairman.

Shri P.T. Thiruvenagadam, Member (A).

1. Prakash Singh,
S/o Shri Babu Singh,
MRCL Khalasi Under Chief
Telecom Inspector, CTO
Central Railway, Jhansi
2. Naresh Chandra,
S/o Shri Moonga Lal,
MRCL Khalasi Under Chief
Signal Inspector, Maintenance
Central Railway, Jhansi
3. Narain Singh,
S/o Shri Badam Singh,
MRCL Khalasi, Under Chief
Telecom Inspector, Repairs
Central Railway, Jhansi
4. Jahan Singh,
S/o Shri Navab Singh,
MRCL Khalasi, Under Chief
Telecom Inspector, CTO
Central Railway, Jhansi
5. Hameed Khan,
S/o Ali Rehman,
MRCL Khalasi, Under Chief
Signal Inspector, Maintenance
Central Railway, Jhansi
6. Sarvesh Kumar,
S/o Shri Kamta Prakash,
MRCL Khalasi, Under Chief
Signal Inspector, Maintenance,
Central Railway, Jhansi
7. Mani Ram,
S/o Shri Hammi,
MRCL Khalasi, Under Chief
Signal Inspector Maintenance,
Central Railway, Jhansi
8. Munna Lal,
S/o Shri Damru Lal,
MRCL Khalasi, Under Chief
Signal Inspector, Maintenance
Central Railway, Jhansi

9. Mohan,
S/o Shri Dulwet,
MRCL Khalasi, Under Chief
Signal Inspector, Maintenance
Central Railway, Jhansi

10. Rajinder,
S/o Shri Kasi Ram, MRCL Khalasi
Under Chief Signal Inspector,
Maintenance Central Railway,
Jhansi

11. Santosh Kumar,
S/o Shri Parmanand,
MRCL Khalasi, Under Chief
Telecom Inspector, CTO
Central Railway, Jhansi ... Petitioners.

None for the Petitioners.

Versus

1. Union of India
through the Secretary
Ministry of Railways
(Rail Board)
New Delhi

2. Divisional Railway Manager
Central Railway
Jhansi ... Respondents.

By Advocate Shri H.K. Gangwani.

ORDER (ORAL)

Shri Justice V.S. Malimath.

None appeared for the petitioners. Shri H.K. Gangwani, Counsel, appeared for the respondents. As this is an old matter, we consider it proper to look into the records, hear the learned counsel for the respondents and dispose of the case on merits.

2. Some of the petitioners were engaged between 1975 and 1977 and some during the later years right upto the year 1987. When their services were sought to be terminated, they approached this Tribunal. On the strength of the interim order granted by the Tribunal, they have continued in service till now. Shri Gangwani, learned counsel for the respondents,

submitted that they have continued in service till date on the strength of the interim order. We have no reason not to accept his statement. In that view of the matter, it is obvious that the petitioners have continued as casual labourers for several years. Having regard to the equity in favour of the petitioners and the fact that they have continued in service for such a long number of years, we consider it appropriate to dispose of this case with a direction that the petitioners' services shall not be terminated except on the ground that there is no need for their services or on the ground that on a fresh valuation of their performance they are not found fit and suitable to continue in service. This, of course, is with reference to their age qualifications. If their services are not terminated, it is obvious that their cases have to be considered for regularisation in their turn subject to, of course, availability of vacancies.

2. With these directions, this O.A. is disposed of.
No costs.

P.T. Thiruvengadam
Member(A)

V.S. Malimath
Chairman

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