

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

(3)

REGN.NO. OA 1430/87

Date of decision: 25.5.1990,

Devi Lal & ors.

.....

Applicants

versus

Union of India & ors. Respondents

CORAM: HON'BLE MR. P. K. KARTHA, VICE CHAIRMAN(J)
HON'BLE MR. D. K. CHAKRAVORTY, MEMBER(A)

For the Applicants Shri Anis Suhrawardy,
Counsel.

For the Respondents Shri O.N.Moolri, Counsel.

1. Whether Reports of local papers may be allowed to see the judgement? Yes
2. To be referred to the Reporters or not? No

JUDGEMENT

(Judgement of the Bench delivered by Hon'ble
Mr. D. K. Chakravorty, Member(A))

The applicants who have worked as Mates in the office of the Respondents filed this application under Section 19 of the Administrative Tribunals Act, 1985 praying for setting aside their reversion from the post of Mate to the post of Gangman by verbal orders.

2. The facts of the case in brief are as follows. There are four applicants. According to the version given in the application, the first applicant has worked as Mate from 20-1-77 to 4-5-87, the second applicant from 4-7-77 to 7-5-87, the third applicant from 20-4-77 to 19-4-77 and the fourth applicant from 19.3.77 to the date of filing of the application. They have not produced any documentary evidence in support of the above averment. The Respondents have denied the same and have contended that they have worked as Gangmen/ Khalasis from time to time except applicant No.1 who was engaged as Mate but was given the temporary status of Gangman.

3. The applicants allege that they have been reverted from the post of Mate to that of Gangman by verbal orders but they have not indicated the date on which reversion was made.

4. The Respondents have stated in their counter-affidavit that the applicants were not appointed as Mates and the question of their reversion did not arise. They were working purely in the capacity of casual workers and doing the work of Mates and they had no right to the post of Mate. By order dated 29-4-87, they were reverted to the post of Gangman to accommodate the senior-most permanent screened Gangman already working with the Respondents in terms of Circular dated 11-3-86 (Vide Annexures RI and RII, pages 16 and 17 of the paperbook).

5. In the rejoinder affidavit, the applicants have asserted that they were promoted as Mates in view of their seniority and that they are the senior-most Gangmen. Again, no documentary evidence has been produced in support of this assertion.

6. After going through the records of the case carefully and hearing the learned counsel of both parties, we are of the opinion that the applicants have not substantiated their assertions and that the application is devoid of any merit. The applicants are not entitled to the relief sought and consequently the application is dismissed, leaving the parties to bear their respective costs.

Deshan
(D.K.CHAKRAVORTY)
MEMBER
25/5/890

25/5/90
(P.K.KARTHA)
VICE CHAIRMAN