

CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

O.A. No. 1972/90.

New Delhi, dated this 22nd day of September 1994.

HON'BLE MR. P.T. THIRUVENGADAM (MEMBER (A))

HON'BLE MR. T.L. VERMA, MEMBER (J)

Shri Tej Ram,  
S/o Shri Nanhe Ram,  
Substitute Safaiwala,  
under Carriage & Wagon Superintendent,  
Northern Railway,  
New Delhi & 10 others as per  
memo of parties.

... Applicants.

By Advocate: Shri B.S. Mainee.

Versus

Union of India: Through

1. The General Manager,  
Baroda House,  
Northern Railway,  
New Delhi.
2. The Divisional Railway Manager,  
Northern Railway,  
D.R.M. Office,  
State Entry Road,  
New Delhi.
3. The Carriage & Wagon Superintendent,  
Northern Railway,  
New Delhi.

... Respondents.

By Advocate: None.

O R D E R (Oral)

Hon'ble Mr. P.T. Thiruvengadam.

The applicants claim that they have been engaged as Substitutes in Carriage and Wagon Department of Delhi Division of Northern Railway. They have been engaged against "vacancies existing against day-to-day absentees". Their services were sought to be terminated by an order dated 26.5.1990 (Annexure-A1) stating that they would be discharged from 30.9.1990 on expiry of the present sanction.

2. This OA has been filed challenging these orders and for allowing the applicants to perform their duties. Interim orders were passed on 28.9.1990 restraining the respondents from implementing the proposed order of termination dated 25.8.1990 and the applicants are still being continued.

3. The learned counsel for the applicant produced a copy of the order passed by this Bench of the Tribunal on 4.4.94 in O.A. No.1976 of 1990. Similar issues were raised and similar reliefs were claimed in that O.A. After discussing merits of the case, the operative portion of the order reads as under:

"This application succeeds and is allowed. The notices of discharge are quashed. The respondents are directed to treat the applicant as regular substitutes."

4. We agree with the reasoning adduced in the above O.A. and accordingly we pass same order as under in this case also;

The application succeeds and is allowed. The notices of discharge are quashed. The respondents are directed to treat the applicants as regular Substitutes.

5. The O.A. is, therefore, disposed of. There is no order as to cost.

*J.L. Verma*  
(T.L. VERMA)  
MEMBER (J)

*P.T. Thiruvenkadam*  
(P.T. THIRUVENGADAM)  
MEMBER (A)

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