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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn. No. OA 2345/1990

Date of decision: 26.05.1993.

Shri Om Parkash Sharma

... Applicant

Versus

Union of India & Others

... Respondents

For the Applicant

... Shri B.S. Maine, Counsel

For the Respondents

... Shri P.S. Mahendru, Counsel

CORAM:

THE HON'BLE MR. JUSTICE S.K. DHAON, VICE CHAIRMAN
THE HON'BLE MR. S.R. ADIGE, ADMINISTRATIVE MEMBER

1. To be referred to the Reporters or not?

JUDGMENT
(of the Bench delivered by Hon'ble Mr.
Justice S.K. Dhaon, Vice-Chairman(J))

Admittedly, the petitioner worked as a Volunteer Ticket Collector from 11.10.1984 to 10.11.1984 at the Railway Station Kashipur. Thereafter, he was disengaged from service. The principal prayer is that the respondents may be directed to reengage him in service as and when a situation arises for doing so.

2. A counter-affidavit has been filed on behalf of the respondents. The thrust of the reply is that the petitioner did not acquire any right by working as a Volunteer Ticket Collector for a short term. It appears that prior to 17.11.1986, there was a scheme for giving employment to the wards of the Railway employees

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as volunteer/booking clerk on regular basis. However, the Railway Board on 17.11.1986 took a policy decision that such a scheme should be discontinued from all the Railways. Thereafter, certain engagements were discontinued on account of the aforesaid decision of the Board dated 17.11.1986. A number of cases were disposed of by this Tribunal in which the direction given was that a scheme should be drawn up and those who had been disengaged under the scheme, should be considered for reengagement.

3. According to the learned counsel for the respondents, the decision of this Tribunal in all the said cases is that those employees whose services were discontinued or those employees who had been disengaged on account of the said policy decision dated 17.11.1986 alone, could be considered for reengagement. In OA 268/1991 decided on 28.01.1992, the services of the petitioners therein who had been engaged in pursuance of the scheme and whose services had been done away with long before 17.11.1986, this Tribunal directed the respondents before it to reengage the petitioners in the said OA and to absorb them against regular vacancies on completion of 3 years service subject to their fulfilling other conditions laid down in the Railway Board's letters dated 21.4.1982 and 20.04.1985. The Tribunal also gave

some other directions. We see no reason to depart from the view taken by the Tribunal in the said OA. We accordingly dispose of this OA in terms similar to those contained in OA 268/1991.

4. With these directions this OA is disposed of finally but without any order as to costs.

Surabhi
(S.R. ADIGE)

MEMBER (A)

SKD
(S.K. DHAON)
VICE CHAIRMAN

RKS