

(P)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

DA 971/90

New Delhi, this the 11th day of October, 1994

Hon'ble Mr. J.P. Sharma, Member(J)

Hon'ble Mr. S.R. Adige, Member(A)

1. Girdharilal, S/o Sh. Prabhati Ram
by caste Dhanak, Hot Weather Water Man
C/o Station Superintendent
Northern Railway, Sri Ganganagar
2. Madanlal, S/o Sh. Ganpat Ram
by caste Harliya, Hot Weather Water Man
C/o Station Superintendent
Northern Railway, Sri Ganganagar
3. Ram Kishan, S/o Sh. Lallu Ram
by caste Yadav, Hot Weather Water Man
C/o Station Superintendent,
Northern Railway, Sri Ganganagar
4. Ramavtar Singh, S/o Sh. Phool Singh
by caste Bavaria, Hot Weather Water Man
C/o Station Master
Northern Railway
Dabli Rathan
5. Sh. Moola Ram, S/o Sh. Budh Ram
by caste Jat, Hot Weather Water Man
Station Superintendent
Northern Railway, Churu
6. Sh. Onkarmal, S/o Sh. Abjun Ram
by caste Brahmin, Hot Weather Water Man
C/o Station Superintendent
Hanumangarh Town

... Applicants

Vs.

1. Union of India, through
General Manager
Northern Railway, Baroda House, New Delhi
2. Divisional Rail Manager,
Northern Railway, Bikaner
3. Station Superintendent
Northern Railway, Sri Ganganagar
4. Station Superintendent
Northern Railway, Hanumangarh Town
5. Station Master
Northern Railway, Dabli Rathan

6. Station Superintendent
Northern Railway, Churu

7. Divisional Commercial Superintendent
Northern Railway, Bikaner

... Respondents

(By Advocate : Sh. O.P. Kshatriya)

ORDER(Oral)

Hon'ble Mr. J.P. Sharma

All these applications filed in this
OA 971/90 on 23rd May, 1990 and they have assailed
in this application, the order dated 2nd May, 1990
in respect of Giridharilal and in respect of Ramavtar
Singh, the order dated 25th April, 1990. In respect
of Madanlal and Ram Kishan, the order is on the same
date, i.e., 2nd May, 1990. The reliefs claimed by
the applicants are for quashing these orders and
that the applicants be taken on duty as well as
applicant nos. 5 & 6 who have not been served with
any order. It is, however, stated that the respondents
not to discharge the applicants till the enquiry
is completed.

2. The respondents contested this application.

In reply it is stated that the applicant have
procured the jobs of casual labour Hot Weather
Water Man cum Khallasies on the basis of bogus
casual labour cards by showing fictitious entires
of having served in Railway Administration as
casual labour earlier, while as a matter of fact

they had not worked as such. The applicants have conceded the fact of forgery and the application is not maintainable and deserved to be dismissed. The respondents have also annexed the letter dated 6th October, 1987 whereby it is mentioned that a casual labour card numbers shown against the applicants was not issued by the Office of PWI. However, the report dated 24th October, 1987 stated that the applicants have not worked earlier in their engagement with the railways and no casual labour card was issued to them.

3. When the matter was filed before the Tribunal, an interim direction was given on 25th May, 1990 that the applicants be treated as continuing in service notwithstanding the impugned order dated 25th April, 1990. The matter was admitted and kept on Board. The applicants have not filed any rejoinder to the reply filed by the respondents. Last time, the matter came before the Tribunal on 2nd January, 1992 when none appeared for the applicants. The order sheet earlier to this also goes to show that the applicants have not been appearing in May, 91, June, 91, August, 91, September, 91 and November, 91.

4. When the case was taken up today none appears for the applicants.

5. In view of this, we dismiss the application and vacate the interim order for non-prosecution.

Cost on parties.

Adige
(S.R. Adige)
Member(A)

Sharma
(J.P. Sharma)
Member(J)

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