

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALIPAL BENCH NEW DELHI

(10)

New Delhi, dated the 26th September, 1994

Com

Hon'ble Shri N.V. Krishnan, Vice Chairman(•)

Hon'ble Smt. Lakshmi Swaminathan, Member(J)

26.

MA-329 9/94
OA-539/92

1. Shri Kishore Kumar
S/o Shri Om Parkash,
r/o Sh.Khem Chand Kaushik,
H.No.141 P.O. Dasha, Najafgarh,
New Delhi.

.. applicant

(By Advocate Shri V.P.Sharma)

V/s

1. The Union of India through the Genl. Manager, Western Railway, Churchgate, Bombay.
2. The Divisional Railway Manager, Western Railway, Jaipur
3. The Secretary, Railway Board, Rail Bhawan, New Delhi
4. The Station Superintendent, Western Railway, Kishangarh(Raj)

.. Respondents

(None for the respondents.)

27.

MA-3300/94
OA-2649/92

1. Sh.Kailash Chand
S/o Shri Kishan Lal Saini,
r/o 141, V&PO Dhansa,
Najafgarh, New Delhi-47

.. applicant

(By Advocate Shri V.P.Sharma)

V/s

1. Union of India through the Genl. Manager Western Railway, Churchgate, Bombay
2. The Secretary, Railway Board, Rail Bhawan, New Delhi.
3. The Divisional Railway Manager, Western Railway, Jaipur.
4. The Chief Telecom. Inspector, Western Railway, Jaipur.

.. Respondents

(None for the respondents)

28.

MA-3301/94
OA-2901/92

(11)

1. Sh.Shambhu Doyal Sharma
2. Sh.Ramji Lal
3. Sh.Bhanwar Lal
4. Sh.Mohar Singh

All are at present residing in Jhugies Jhopadi in Delhi C/O Ashok Contractor, Mangla Puri, New Delhi.

.. Applicants

(By Advocate Shri V.P.Sharma)

V/s

1. Union of India through the Genl.Manager, Western Railway, Churchgate, Bombay
2. The Divisional Railway Manager, Western Railway, Jaipur.
3. The Secretary, Railway Board, Rail Bhawan, New Delhi.
4. The Chief Singnal Inspector Western Railway, Jaipur
5. The Chief Signal Inspector Western Railway Station, Fulera (Raj)

29.

MA-3302/94
OA-858/92

1. Sh.Satyendra Kumar
r/o C/o Sh.Rajender Parshad,
WZ-30, New Hira Park, Dicchau Road,
Najafgarh, Delhi.

.. Applicant

(By Advocate Shri V.P. Sharma)

V/s

1. Union of India through The Genl.Manager, Western Railway, Churchgate, Bombay.
2. The Divisional Railway Manager, Western Railway, Jaipur
3. The Secretary, Railway Board, Rail Bhawan, New Delhi.
4. Sr.Accounts Officer(Const.)
Western Railway, Jaipur

.. Respondents

(By Shri Shyam Moorjani-Advocate, though none present)

30.
MA-3303/94
OA-1800/92

1. Shri Rang Lal
2. Shri Dheer Singh

All are residing at H.No.180,
D-Block, Gali No.4, Jai Jai Colony,
Khan Pur, New Delhi.

... Applicants

(By Advocate Shri V.P.Sharma)

V/s

1. Union of India through the Genl.Manager,
Northern Railway, Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway, Bikaner.
3. The Asstt.Engineer,
Northern Railway, Delhi Main Jn.
Delhi.

... Respondents.

(None for the respondents)

31.
MA-2182/54
OA-1377/91

Shri Sunder Singh
R/o Vill.Boyra Post Jhajjan,
Distt.Bulandshahar(U.P.)

... Applicant

(By Advocate Shri V.P.Sharma)

V/s

1. Union of India, through the Genl.Manager,
Northern Railway, Baroda House, New Delhi.
2. The Divisional Rly.Manager,
Northern Railway, Delhi Divn.New Delhi Rly.Stn.
New Delhi.
3. The Station Superintendent, N.R.
Dev Nand Distt. Saharanpur(U.P.)

... Respondents

(By Shri I.C. Sudhir-Advocate, though None
present)

ORDER (ORAL)

[Hon'ble Shri N.V. Krishnan, Vice Chairman (A)]

Learned counsel for the applicant states that these OAs can be disposed of on the basis of the order in the OA No.2441/91 decided on 26-5-94. In the circumstances, these OAs are being disposed of separately.

2. All these OAs are being taken up for disposal, as the issues involved are similar. None is present for the respondents when the case was called out twice.

3. The applicants were casual labourers in the Railways, and after being engaged for some time they were disengaged. They, therefore, filed these OAs for a direction to the respondents to consider the regularisation in their service, in preference to the juniors and to further direct the respondents to re-engage them in preference to their junior until they are regularised for work on a casual basis.

4. A similar matter Net Ram and Ors. v/s Genl. Manager (W.R.) (OA No.2441/91) was decided on 26.5.94 with certain directions to the respondents. In view of the submissions made today all these OAs are disposed of in a similar manner.

5. Accordingly, these OAs are disposed of with a direction to the respondents to include the names of the applicant in the Live Casual Labour Register, if they are eligible for such inclusion in terms of the circular No. 220E/190-XIX-A/RIV dated 28.8.87 of the Genl. Manager Northern Railway (referred to in Net Ram's judgment) and

(1A)

give engagement to the applicants as casual labourers if and when the need arises, in accordance with their seniority in that register. It is made clear that in order to enable the respondents to take such action, the applicant should submit representations to the competent authority within one month from the date of receipt of this order alongwith proof relating to the claim that they are entitled to be included in the Live Casual Labour Register and in case such representations are received, the respondents are directed to dispose them of in accordance with law within a further period of four months thereafter under intimation to the applicants.

6. MAs have been filed for disposal of these OAs on the basis of Netram's case. In view of our above order these MAs stand disposed of.

7. The original of this order shall be kept in OA 539/92 and copies be kept in other OAs.

8. At this stage Shri K.S. Ahuja/proxy counsel advocate for Shri Jagjit Singh, appeared and states that he is filing today memo. of appearance in all these cases except OA No. 1377/91 in the Registry.

Lakshmi Swaminathan
(Lakshmi Swaminathan)

Member (J)
sk

N.V. Krishnan
(N.V. Krishnan)

Vice Chairman (A)
PRITAM SINGH
Member
Central Employment Exchange
Pratap Bhawan
Parliament House, New Delhi

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Member
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Parliament House, New Delhi

26/9/94