IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI

(20)

New Delhi, dated the 26th September, 1994

CORAM

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

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

17.
MA-3235/94
OA-2647/91

1. Hathi Ram
2. Sumer Singh
3. Nanad
4. Batheri
5. Om Parkash
6. Hari Singh
7. Tara Chand
8. Lila Dhar
9. Budh Ram
10. Shai Ram
11. Puran Mal
12. Gugan
13. Chunni Lal
14. Bala Ram
15. Ram Kumar
16. Ram Kumar
17. Mandrup

.. 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 Divisional Rly.Personnel Officer,
   Western Railway, Jaipur(Raj)

.. Respondents

(None for the respondents)

MA-3253/94(OA-3047/91)

18.1. Phoola Ram
2. Rajender Pd.Sharma
3. Roormal
4. Umed Singh
5. Ram Singh
6. Kishori
7. Ram Charan Sharma
8. Bhopal Ram
9. Hari Singh
10. Jagdish
11. Girdhari
12. Babu Lal

.. Applicants

(By AdvocateShri 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 Divisional Rly.Personnel Officer, Western Railway, Jaipur(Raj)

.. Respondents

(None for the respondents)

19. MA-3236/94
OA-818/92

1. Hanif
2. Kishan Gopal
3. Imalo
4. Banwari
5. Bundu
6. Badri Parshad
7. Radhey Shyam
8. Bharat Singh
9. Jaswant
10. Ashok Kumar
11. Rajender
12. Madu
13. Ram Niwas
14. Mange Lal
15. Rajinder
16. Mahabir
17. Sant Lal
18. Manohar Lal
19. Om Parkash
20. Balwant
21. Beer Singh
22. Badri Parshad

..Applicants

(By Advocate Shri V.P. Sharma)

V/s

1. Union of India through the Genl.Manager Western Railway, Churchgate, Bombay
2. The Divisional Rly.Manager, Western Railway, Jaipur.
3. The Secretary, Railway Board, Railway Bhawan, New Delhi.
4. The Assistant Engineer, WesternRailway, Alwar(Raj)

.. Respondents

(NONE FOR THE RESPONDENTS)

(22)

20. MA-3237/94
OA-822/92

1. Laxmi Narain
2. Partap Singh
3. Bansi
4. Chhagan Lal
5. Ram Pala
6. Phalad
7. Ram Lal
8. Jagdish Pd.
9. Mula
10. Phool Chander
11. Ram Nath
12. Mangla
13. Babu Lal
14. Nathu Ram
15. Sohan Lal

.. Applicants

(By Advocate Shri V.P.Sharma)

V/s

1. Union of India through the Genl.Manager Western Railway, Churchgate, Bombay.
2. The Divisional Rly.Manager, Western Railway, Jaipur
3. The Assistant Engineer, Western Railway, Alwar.
4. The Assistant Engineer, Western Railway, Fulera
5. The Asstt.Engineer, Western Railway, Bandikui

.. Respondents

(None for the respondents)

21. MA-3231/94
OA-2496/92

1. Safi Mohammad
2. Radhey Shyam
3. Lalu Ram
4. Kana
5. Hari Singh
6. Govinda
7. Tiku Ram
8. Gordhan
9. Partap Narain
10. Umapati
11. Jagdish

.. Applicants

(By Advocate Shri V.P.Sharma)

All were working as C/L Gangman or Baildar under Jaipur Divn.and r/o H.No.141, Vill Dansha, Najafgarh(New Delhi.)

v/s

1. Union of India through the Genl.Manager
   Western Railway, Cgurchgate, Bombay
2. The Secretary,
   Railway Board, Rail Bhawan, New Delhi.
3. The Divisional Rly.Manager,
   Western Railway, Jaipur
4. The Asstt.Engineer(North)
   Western Railway, Jaipur.
5. The Asstt.Engineer(South)
   Western Railway, Jaipur.

.. Respondents

(None for the respondents)

22.-MA-3227/94
OA-2562/92

1. Sunil Kumar Jain
2. Perbhat
3. Kalu Ram
4. Yadav Kumar
5. Jagdish Ku
6. Ram Saini
7. Bhura
8. Jagdish
9. Prabhat
10. Ramji Lal

.. Applicants

(By Advocate Shri V.P.Sharma)

V/s

1. Unionof India through the Genl.Manager,
   WesternRailway, Churchgate, Bombay.
2. The Secretary,
   Railway Board, Rail Bhawan, New Delhi.
3. The Divisional Railway Manager,
   WesternRailway, Jaipur.
4. The Asstt.Engineer,
   Western Railway, Bandikui(Raj)

..Respondents

(None for the respondents)

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.

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. The name of Shri Jagjit Singh is mentioned in the cause list as counsel for the respondents in OA No.3047/91, In the other cases there are no counsel and the respondents have not filed any reply.

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 directionsto 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 General Manager Northern Railway(referred to in Net Ram's judgment), and 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 applicants 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 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 three months thereafter under intimation to the applicant.

6. The applicants have filed MAs that these OAs be disposed of in the light of the decisions in Net Ram's case. In view of the above orders all these MAs have become infructuous and stand disposed of.

7. The original order shall be kept in OA 2647/91 and a copy shall be kept in all other OAs

(Lakshmi Swaminathan)
Member(Judicial)

26/9/94
(N.V. Krishnan)
Vice Chairman(A)

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