

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH NEW DELHI

O.A. Nos.

1. MA-3086/94  
OA-2653/91

✓ 2. MA-3085/94  
OA-2651/91

3. MA-3084/94  
OA-2586/91

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New Delhi, dated the 13th September, 1994

CORAM

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

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

1. OA-2653/91 (MA-3086/94)

- |                    |                                |
|--------------------|--------------------------------|
| 1. Shri Gyarsi Ram | All these were working         |
| 2. " Nathe         | as C/L under P.W. 1 Ateli      |
| 3. " Shai Ram      | which is under AEN-ALwar(Raj.) |
| 4. " Khaniya Lal   | r/o Qutubpur, Rewari (Haryana) |
| 5. " Gyarsi Lal    |                                |
| 6. " Goda Ram      |                                |
| 7. " Gula Ram      |                                |
| 8. " Dhuda Ram     |                                |
| 9. " Hans Raj      |                                |
| 10. " Unao         |                                |
| 11. " Parkash      |                                |
| 12. " Parshadi     |                                |
| 13. " Marain       |                                |
| 14. " Mala Ram     |                                |
| 15. " Ram Chander  |                                |
| 16. " Giri Raj     |                                |
| 17. " Harban       |                                |
| 18. " Bansidhar    |                                |
| 19. " Rupa Singh   |                                |
| 20. " Prithavi     |                                |

... Applicants

(By Advocate Sh. Velesh Sharma, proxy counsel for  
Shri V.P. Sharma )

V/s

1. Union of India, through the Genl. Manager,  
Western Railway, Churchgate, Bombay.

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- 2. The Divisional Railway Manager,  
Western Railway, Jaipur.
- 3. The Asstt. Engineer,  
Western Railway, Alwar(Raj.)

... Respondents.

(By Advocate Shri Ramesh Gautam )

2. DA-2651/91 (MA-3085/94)

- 1. Shri Rohtas
- 2. Shri Bhagirath
- 3. Shri Madu
- 4. Shri Bhadur
- 5. Shri Bhola Ram
- 6. Shri Sheo Chand
- 7. Shri Jagan
- 8. Shri Sri Ram
- 9. Shri Jai Singh
- 10. Shri Ram Swaroop

All were working as C/L under PW I Ateli,  
Distt. N/Garh(Haryana) and R/o Vill. Bharawas,  
Distt. Rowari(Har.)

... Applicants

(By Advocate Shri Yogesh Sharma, proxy counsel  
for Shri V.P.Sharma, counsel for the applicant)

v/s

- 1<sup>st</sup> Union of India through the Genl. Manager,  
Western Railway, Churchgate, Bombay.
- 2. The Divisional Railway Manager,  
Western Railway, Jaipur.
- 3. The Assistant Engineer, Western Railway,  
Alwar(Rajasthan)

... Respondents

(By Advocate Shri Ramesh Gautam )

3. DA-2586/91 (MA-3084/94 )

- 1. Kalyan Panshad
- 2. Soonda
- 3. Jai Ram
- 4. Bodu Ram
- 5. Rameshwar
- 6. Shadu

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7. Shri Bhagwana
8. Shri Ram Chander
9. Shri Narain
10. Shri Bajranga
11. Shri Lexman
12. Shri Bridha
13. Shri Giga
14. Shri Banwari Lal

All were residing at C-7, Hira Park, Najafgarh,  
New Delhi-43

... Applicants

(By Advocate Shri Yogesh Sharma, proxy counsel  
for Shri V.P.Sharma, counsel for the applicant )

v/s

1. Union of India through the Genl. Manager,  
Western Railway, Churchgate, Bombay.
2. The Divisional Railway Manager,  
Western Railway, Jaipur.
3. The Asstt. Engineer, Western Railway,  
Alwar (Rajasthan)

... Respondents

(By Advocate Shri Romesh Gautam )

J U D G M E N T ( O R A L )

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

These OAs are being disposed of by this common order with the consent of the parties. When the matter came up today, learned counsel for the parties agreed that these OAs can be disposed of on the basis of the order in the O.A. No. 2441/91 decided on 26.5.1994. Accordingly, these OAs are being disposed of.

2. The grievance of the applicants are similar. They had been engaged as casual labourers by the Railways for some time. Thereafter the Railways discontinued the engagement. The applicants have prayed that Railways should be directed to consider the

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(17)

applicants for regularisation of their services in preference to the junior and that they should be further directed to engage the applicants in preference to juniors in case of need for such engagement has arise before regularisation.

3. A similar matter Net Ram and Ors/V/s Genl.Manager(WR) (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.

4. Accordingly, these OA 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 28.9.97 of the General Manager, Northern Railway ( referred to in Net Ram's judgement) 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 to 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 three months thereafter under intimation to the applicants.

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- 5. MAS have been filed for disposal of these OAs on the basis of Net-Ram's case. In view of our above order these MAS stand disposed of.
- 6. The original of this order shall be kept in OA No. 2653/91 and copies be kept in other OAs.
- 7. The respondents' counsel is entitled to fee in each case separately.

In

(Lakshmi Swaminathan)  
Member(J)

12/11  
(N.V. Krishnan)  
Vice Chairman(A)

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*True Copy  
Attested*

*M. S. Singh*

13/9/84

BRIJAM SINGH  
Chief Justice  
Central Administrative Tribunal  
Head Office, New Delhi