

(17)

Central Administrative Tribunal
Principal Bench: New Delhi

1. MA-3108/94
OA-2491/91

New Delhi this the 14th Day of September, 1994.

Sh. N.V. Krishnan, Vice-Chairman (A)
Smt. Lakshmi Swaminathan, Member (J)

1. Rameshwar Parshad S/o Sh. Gyarsi Lal
2. Ramesh Chand Saini S/o Sh. Bhajan Lal Saini
3. Iswar S/o Sh. Ram Karan
4. Mangla Nath S/o Sh. Nanaga Nath
5. Bansi Lal S/o Sh. Ram Kumar
6. Kishal Lal S/o Sh. Mul Chand
7. Gopal S/o Sh. Bhoraya
8. Jagdish S/o Sh. Basanti Lal
9. Chhotu S/o Sh. Nanu

...Applicants

(By Advocate Sh. Yogesh Sharma, proxy for Sh.V.P. Sharma,
Counsel)

Versus

1. Union of India through the
General Manager,
Western Railway, Churchgate,
Bombay.
2. The Divisional Railway Manager,
Western Railway, Jaipur.
3. The P.W.I. (Permanent-Way-Inspector)
Western Railway, Bandikui (Raj.)
4. The Loco Foreman,
Western Railway, Bandikui (Raj.)

...Respondents

(By Advocate Sh. K.S. Ahuja, proxy for Sh. Jagjit Singh,
Counsel).

2. MA-3099/94
OA-2492/91

1. Govind S/o Sh. Nanda
2. Ruda S/o Sh. Bodu
3. Bhadur Singh S/o Sh. Ram Singh
4. Sohan S/o Sh. Jai Ram
5. Mangal Chand S/o Sh. Mali Ram
6. Kalu S/o Sh. Hanuman
7. Laxman S/o Sh. Nathu

...Applicants

(By Advocate Sh. Yogesh Sharma, proxy counsel for Sh.V.P.
Sharma, Counsel)

Versus

1. Union of India through the
General Manager,
Western Railway, Churchgate,
Bombay.
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2. The Divisional Railway Manager,
Western Railway, Jaipur.

3. The Inspector of Works,
Western Railway, Jaipur.

4. The Assistant Engineer,
Western Railway, Fulera (Raj.)

...Respondents

(By Advocate Sh. K.S. Ahuja, proxy for Sh. Jagjit Singh,
Counsel).

3. MA-3106/94
OA-2654/91

1. Madu Ram S/o Sh. Mada Ram
2. Tara Chand S/o Sh. Suraj Ram
3. Des Raj S/o Sh. Bugala Ram
4. Mahi Pal S/o Sh. Manak Chand
5. Barkat Ram S/o Sh. Challu Khan
6. Mahabir Prasad S/o Sh. Roshan Lal
7. Lila Ram S/o Sh. Dhanna Ram
8. Suraja S/o Sh. Parma Ram
9. Bansi S/o Sh. Bilasa
10. Mahabir S/o Sh. Sheodan Ram
11. Puran S/o Sh. Deda Ram
12. Chandgi Ram S/o Sh. Dulla Ram
13. Chaju Ram S/o Sh. Bhura Ram
14. Sat Narain S/o Sh. Ramji Lal
15. Nagar S/o Sh. Jai Narain
16. Hazari S/o Sh. Bhagwan Singh
17. Ram Singh S/o Sh. Suraja

...Applicants

(By Advocate Sh. Yogesh Sharma, proxy for Sh. V.P. Sharma,
Counsel)

Versus

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

2. The Divisional Railway Manager,
Western Railway, Jaipur.

3. The Divisional Personnel Officer,
Western Railway, Jaipur. (Raj.)

...Respondents

(By Advocate Sh. K.S. Ahuja, proxy for Sh. Jagjit Singh,
Counsel).

4. MA-3109/94
OA-3049/91

1. Nathu Ram S/o Sh. Suraja Ram
2. Bhagwan Sahai S/o Sh. Ram Dev
3. Om Prakash S/o Sh. Maharu
4. Gulla S/o Sh. Likhma
5. Debu S/o Sh. Chothu
6. Ghisa Ram S/o Sh. Kana Ram
7. Sukh Ram S/o Sh. Birbal
8. Ram Niwan S/o Sh. Dabu

9. Sultan S/o Sh. Hanuman
10. Sohan S/o Sh. Mala
11. Kana S/o Sh. Mula
12. Birbal S/o Sh. Narain
13. Mukha S/o Sh. Birbal
14. Sayar S/o -
15. Jagdish Prasad Yadav S/o Sh. Kaju Pd. Yadav
- 15A. Samundar Singh S/o Sh. Bhagu Singh
16. Phalad S/o Sh. Bhagwana
17. Ghasi S/o Sh. Kaju Ram
18. Hansa S/o Sh. Sheo Chand
19. Mool Chand S/o Sh. Sheo Chand
20. Bal Singh S/o Sh. Jaggu Singh
21. Bholi S/o Sh. Guljari
22. Roori S/o Sh. Kishan
23. Bothu S/o Sh. Bisana
24. Jagdish S/o Sh. Seuldass
25. Banwari S/o Chotu
26. Prabhu Dayal S/o Sh. Gangu
27. Babu Lal S/o Sh. Sri Chand

...Applicants

(By Advocate Sh. Yogesh Sharma proxy for Sh. V.P. Sharma Counsel).

Versus

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

...Respondents

(By Advocate Sh. Shyam Moorjani, though none appeared.)

5. MA-3103/94
OA-2769/91

1. Ranjeet S/o Sh. Chothu Ram
2. Jagdish S/o Sh. Kana Ram
3. Tara Chand S/o Sh. Gotha Ram
4. Mula Ram S/o Sh. Omkar
5. Shimbu Ram S/o Sh. Mool Chand
6. Mukha S/o Sh. Rekha
7. Rohtash S/o Sh. Sher Singh
8. Hira Lal S/o Sh. Mota Ram
9. Mali Ram S/o Sh. Ganga Ram
10. Sita Ram S/o Sh. Balu
11. Ramu S/o Sh. Binja
12. Mula S/o Nanu Ram
13. Sarvan S/o Sh. Gordhan

...Applicants

(By Advocate Sh. Yogesh Sharma proxy for Sh. V.P. Sharma, Counsel).

Versus



1. Union of India through the
General Manager,
Western Railway, Churchgate,
Bombay.
 2. The Divisional Railway Manager,
Western Railway, Jaipur.
 3. The Assistant Engineer,
Western Railway, Alwar (Raj.)
 4. The Assistant Engineer,
Western Railway, Jaipur (Raj.) ...Respondents
- (By Advocate Sh. K.S. Ahuja, proxy for Sh. Jagjit Singh,
Counsel).

ORDER(ORAL)

Hon'ble Mr. N.V. Krishnan:-

All these cases are being taken up for disposal with the consent of parties, as the issues involved are similar. 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 of their service, in preference to the juniors and to further direct the respondents to re-engage them in preference to their juniors until they are regularised for work on a casual basis.

2. The learned counsel for the parties submit that a similar matter has already been disposed of by this Bench in OA-2441/91 on 26.3.94 - Net Ram & Others vs. G.M. Western Railway and Others. They request that these cases may also be disposed of on the same lines.

3. In view of this submission we are of the view that these OAs can now be disposed of with similar directions as in the earlier case of Net Ram & Others (supra).

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4. 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 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.


5. The OAs are disposed of, as above. No costs.

6. A copy of this order should be kept in each of these OAs.

The respondents' counsel is entitled to fee in each case separately.


(SMT. LAKSHMI SWAMINATHAN)
MEMBER(J)

'Sanju'


14.9.87
(N.V. KRISHNAN)
VICE-CHAIRMAN