

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

C.P.No. ~~127~~ of 1999
in
OA.No.1859 of 1991

New Delhi, this 6th day of March, 2000

Hon'ble Shri Justice V. Rajagopala Reddy, VC(J)
Hon'ble Smt. Shanta Shastri, Member(A)

Pramod Kumar Sharma
and others as per
Memo of parties
All C/o Shri B.S. Mainee, Advocate
240 Jagriti Enclave (Vikas Marg Ext.)
Delhi-110092. ... Petitioners

(By Shri B.S. Mainee, Advocate through Shri Sant
Lal, proxy counsel.)

versus

1. Shri D.P. Tripathi
Secretary
Ministry of Railways
Rail Bhawan
New Delhi.
2. Shri Vishu Dutta
General Manager
Western Railway
Churchgate
Mumbai.
3. Shri P.L. Relan
Divisional Railway Manager
Western Railway
Kota. ... Respondents

(By Shri P.S. Mahendru, Advocate through
proxy counsel Shri D.S. Jagotra)

ORDER(oral)

By Reddy, J. -

Following is the direction given in the

OA:

"...Taking this submission into account
we dispose of these applications with a
direction to the respondents to re-engage
the applicants as Voluntary Ticket
Collectors on the same terms and
conditions as were given to them at the
time of their earlier engagement and also
to consider them for regularisation
subject to their fulfilling necessary
qualification and other minimum

CAA

requirements in accordance with the inter-se-seniority between the applicants and in accordance with the rules and instructions of the Railway Board in this regard."

2. In the counter affidavit it has been stated that petitioners have been re-engaged as Voluntary Ticket Collectors on the same terms and conditions as were offered at the time of their initial engagement. It is also stated that Voluntary Ticket Collector being a special type of status the petitioners are not entitled to the grant of temporary status like casual labours. It is further stated that under the rules, direct absorption/appointment in Group 'C' posts cannot be made and as such the petitioners can only be absorbed and regularised in Group 'D' posts.

3. The grievance of the petitioners in the CP is that though they have been re-engaged as Voluntary Ticket Collectors, they have not been given the benefits of temporary status and regularisation. Since it is clearly stated that they are not entitled for temporary status in view of their special status and also that they will be considered for regularisation in Group 'D' posts and not in Group 'C' posts and in the absence of any such direction given by the Tribunal that they should be regularised only in Group 'C' posts, we do not find any violation of the directions of the Tribunal in the OA.

CAB

4. If the petitioners are not satisfied with the action taken by the respondents and if they are aggrieved by the same, it is open to the petitioners to agitate the matter in a fresh OA. The CP is, therefore, closed. No costs.

Shanta

(Shanta Shastry)
Member(A)

V. Rajagopala Reddy

(V. Rajagopala Reddy)
Vice Chairman(J)

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