

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 2137/2004
MA 1815/2004

New Delhi, this the 8th day of September, 2004

Hon'ble Sh. Sarweshwar Jha, Member (A)

1. Shri Jai Ram.
S/o Bhagwan Din
Mali
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.
2. Shri Istqak Ali
S/o Shri Farzand Ali,
Mali
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.
3. Shri Suresh Singh
S/o Shri Sankatha Singh,
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.
4. Shri Ram Samujh.
S/o Shri Ram Bax
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.
5. Shri Mahavir Prashad
S/o Shri Ram
Mali
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.
6. Shri Hira Lal.
S/o Shri Sita Ram,
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.

S. P. J.

7, Shri Bodh Raj,
S/o Shri Hori Lal,
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.

8, Shri Madan Lal,
S/o Shri Surjan Singh,
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.

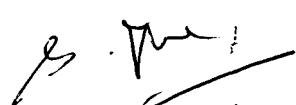
9, Sh. Anoop Singh,
S/o Sh. Chattar Dhara Singh.
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.

10, Sh. Ram Samujh
S/o Shri Triveni
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.

11, Shri Nourang,
S/o Sh. Ismael
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.

12, Sh. Shiv Shanker.
S/o Sh. Kali Prasad,
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.

13, Sh. Jagir Chand,
S/o Sh. Dharam Chand,
Black Smith
Under Sr. Section Engineer (Horticulture),
Northern Railway,
New Delhi.



14, Sh. Vijay Bahadur,
S/o Sh. Sukh Ram,
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.

15, Sh. Balraj,
S/o Sh. Dharam Singh,
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.

16, Sh. Daud Ram,
S/o Sh. Kaday
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.

17, Sh. Dharmpal,
S/o Sh. Girhwar
Field Man
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.

18, Shri Ram Singh
S/o Sh. Ratiram
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.

19, Shri Om Prakash
S/o Sh. Hargu Lal,
CG-I,
Under Dy. CAO/TA,
Northern Railway,
New Delhi.

20. Shri Manjupal
S/o Shri Ravi Pal,
Khallasi
Under Dy. CAO/TA,
Northern Railway,
New Delhi.

21, Shri Ramji Lal
S/o Shri Babu Ram,
CG-II.
Under Dy. CAO/TA,
Northern Railway,
New Delhi.

22, Shri Ram Phavry
S/o Sh. Panchuram,
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.

23, Shri Mahinder Singh,
S/o Shri Ram Sarup,
Mali,
Under Sr. Section Engineer(Horticulture),
Northern Railway,
New Delhi.

24, Shri Om Prakash,
S/o Shri Ham Raj,
Mali,
Under Sr. Section Engineer (Horticulture),
Northern Railway,
New Delhi.

25, Shri Shiv Shanker Singh,
S/o Shri Satya Narain Singh,
Sr. Clerk
Under Dy. Secy. G.M,
Northern Railway,
Baroda House,
New Delhi.

... Applicants.
(By Adv. Sh. Amit Anand)

VERSUS

UNION OF INDIA : THROUGH

1, The General Manager,
Northern Railway,
Baroda House,
New Delhi.

2, The Divisional Railway Manager,
Northern Railway,
State Entry Road,
New Delhi.

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3. The Sr. Section Engineer (Horticulture)
Northern Railway, New Delhi.
4. The Sr. Divisional Finance Manager
Northern Railway, State Entry Road
New Delhi.

...Respondents

ORDER (ORAL)

MA for joining together is allowed.

2. Heard the learned counsel for the applicants (25 in number). This application has been filed with prayers that they be paid arrears of pay and other benefits for the period they have worked as casual labourers, with interest. They have also prayed for directions being given to the respondents to pay them leave benefits. Reference in this regard has been made to what has been submitted in paragraph 4.3 in which the details of the initial appointments and also the dates on which temporary status were made/granted to the applicants have been given.

3. It is observed that the applicants have been in the employment of the respondents since different dates in the 1970s and have been granted temporary status again on different dates in the 1970s and also in 1980s. The prayers as made by the applicants are squarely covered under the decisions as given by this Tribunal in OA 89/2004, MA 86/2004 on 14-1-2004 in which reference has also been made to the decisions of the Hon'ble High Court of Delhi in CW No.5247/97 and also to the other OAs decided earlier by this Tribunal on similar subject. Accordingly, the applicants have prayed that the benefits as have been granted to the applicants in the said cases be also extended to them.

4. Without repeating what has already been said in the matter both in the OA 89/2004, MA 86/2004, in which relevant reference has been made to the decisions of the Hon'ble High Court of Delhi and also to other decisions as passed by this Tribunal, I am of the view that this OA can be disposed of at the admission stage itself with a direction to the respondents to consider the prayers of the applicants as made in paragraph 8 of the OA in the light

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of the decisions as referred to by them and to dispose of the matter within a period of two months from the date of receipt of a copy of this order with liberty to the applicants to proceed in the matter as per law if their grievances still survive. Ordered accordingly.

 
(Sarweshwar Jha)
Member (A)

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