

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 2646/2004, MA 2201/2004

New Delhi, this the 3rd day of November, 2004

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

1. Shri Behari Ram,
S/o Shri Malloo Ram
Fitter, Under Section Engineer (Works)
Northern Railway,
Delhi Kishan Ganj-I,
Delhi.
2. Shri Ram Lai
S/o Shri Jagoo,
Khallasi, Under Section Engineer (Works)
Northern Railway,
Delhi Kishan Ganj-I,
Delhi.
3. Shri Mathura
S/o Shri Shital Prasad,
Khallasi, Under Section Engineer (Works)
Northern Railway,
Delhi Kishan Ganj-I,
Delhi.
4. Shri Jagjivan Ram
S/o Shri Onkar,
Khallasi, Under Section Engineer (Works)
Northern Railway,
Delhi Kishan Ganj-I,
Delhi.
5. Shri Nathu
S/o Shri Durga Prasad
Painter, Under Sr. Section Engineer (Works)
Northern Railway,
Delhi Kishan Ganj-I,
Delhi.
6. Shri Lalta
S/o Shri Jhimal,
Khallasi, Under Sr. Section Engineer (Works)
Northern Railway,
Delhi Kishan Ganj-I,
Delhi.
7. Shri Harcharan Dass
S/o Shri Amrit Singh
Record Lifter,
Under Dy. CAO/T. State;
State Entry Road,
New Delhi.

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8. Shri Nand Kishore,
S/o Shri Kewal Krishan,
Peon, Under Dy. CAO/T
Northern Railway,
State Entry Road,
New Delhi.
9. Shri Jagdish
S/o Shri Surjan Dass
Hospital Attendant,
Under Sr. Divisional Medical Officer,
Northern Railway,
Delhi Kishan Ganj,
Delhi.

...Applicants

(By Advocate Shri 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.
3. The Sr. Divisional Finance Manager,
Northern Railway,
State Entry Road,
New Delhi.

...Respondents.

O R D E R (ORAL)

1. Heard the learned counsel for the applicants.
2. A prayer has been made for directing the respondents to pay the arrears and all other benefits for the period when the applicants (9) were working as casual labourers before grant of temporary status to them. In this connection, attention has been drawn to the decisions of the Hon'ble High Court in CWP 5247/97 & 10243/97 given on 27.10.1999 and also the decisions of the Tribunal given in OA 89/2004, MA 86/2004 on 14.01.2004. While a reference has been made by the applicants to the instructions of the Railway Board, a copy of which



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is placed at Annexure A-1 and also at Annexure A-7, it has been pleaded that the case is squarely covered under the decisions cited by the applicants (9).

3. The applicants (9) in this OA have been in service with the respondents since different dates as given in paragraph 4.3 of the Original Application. It is observed that these dates range from 1968 to 1984. They have been granted temporary status also on different dates from 1976 to 1990. Accordingly, it has been claimed that they deserve to be paid arrears of pay and allowances for the period prior to the dates on which they were granted temporary status in terms of the decisions of the Hon'ble High Court and this Tribunal and instructions as issued thereon by the Railway Board.

4. Having regard to the fact that a plea has been made that the case is squarely covered under the decisions as referred to hereinabove, the ends of justice will be met if this OA is disposed of at the admission stage itself without issuing notice to the respondents with directions to them that they consider the prayers of the applicants as made by them in paragraph 8 of this OA in the light of the decisions as referred to hereinabove and dispose it of within a period of two months from the date of receipt of a copy of this order. Ordered accordingly. If the applicants are still aggrieved, they are at liberty to proceed as per law. A copy of the order may be sent to the respondents along with the present OA.

4. MA 2201/2004 for joining together of the applicants is allowed.



(Sarweshwar Jha)
Member (A)

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