

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.256 of 2004^{nb}

New Delhi, the 3rd day of February, 2004

Hon'ble Shri Bharat Bhushan, Member(J)

Roop Chand
S/o Shri Ramal Saini,
R/o Gaur Bhawan, Gali No.40
Sadh Nagar-II,
New Delhi-45. Applicant

(By Advocate: Shri Yogesh Sharma)

Versus

1. Union of India through the
The General Manager,
North-Western railway, Jaipur..
2. The divisional Railway Manager,
North Western Railway, Bikaner Division,
Bikaner (Rajasthan). Respondents.

(By Advocate: None.)

Order(Oral)

Heard.


2. The applicant is stated to be initially engaged on 7.3.1986 as Parcel Porter through Railway Contractor at Northern Railway, Gurgaon and he worked for the said post till abolition of contract system i.e. till 31.3.2000 and his total period came to be 4983 days. His contention is that he belongs to OBC and his name was shown at Sl.No.52 in the seniority list (Annexure-2) dated 29.3.2000 prepared by DRMS Office, Bikaner whereas name of one Raj Pal who had worked only for 626 days appears at Sl.No.200. The contention of the applicant is, that the respondents adopted pick and choose policy while regularising the services of Parcel Porter as the applicant has been left out. So far as limitation part is concerned the learned counsel submits that though the cause of action had arisen in the year

7

2000 yet because of an interim order passed by the Hon'ble Supreme Court in CWP No.457/1998 and 278/1999 the Tribunal was pleased to drop all the contempt proceedings in favour of the Parcel Porter. And now when the stay order has been vacated then this OA has been filed.

3. In view of the aforesaid submission made by the applicant, it is directed that respondents shall treat the present OA as the representation of the applicant and the pass a detailed, speaking and reasoned order in accordance with law within a period of two months from the date of receipt of this order.

With this, OA stands disposed of at this stage.


(Bharat Bhushan)
Member (J)

rb.