

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.1415/2004
MA 1190/2004

New Delhi this the 3rd day of June, 2004

Hon'ble Shri Sarweshwar Jha, Member (A)

1. Jeev Raj Singh
S/O Shri Hari Singh
2. Gopi Krishan
S/O Shri Hanuman Ram,
R/O 8363, Roshanara Road, Delhi-7

(By Advocate Shri Yogesh Sharma)

Applicants

VERSUS

1. Union of India through the
Secretary, Ministry of Railways,
Railway Bhawan, New Delhi.
2. The General Manager,
North Western Railway Jaipur.
3. The Divisional Railway Manager,
North Western Railway, Bikaner (Raj.)

Respondents

O R D E R (ORAL)

Heard.

2. The applicants have prayed that a directions may be given to Respondent No.2 to issue instructions or circular for extending the benefit granted vide the judgement of the Hon'ble Supreme Court to the similarly placed persons and (ii) also to direct them to conduct an enquiry or verification through the Assistant Labour Commissioner regarding their working period and consider their cases for regularisation by way of extending the said benefit as given in the judgement of the Hon'ble Supreme Court in Writ Petition No.433/1998 with all the consequential benefits.



3. At the very outset, the learned counsel for the applicants has submitted that the case of the applicants, who were initially engaged as Parcel Porters through Railway Contractor at Northern Railway Station, Rewari in Bikaner Division during the period 1985 to 31.3.2000 is squarely covered under the decision of the Hon'ble Supreme Court as referred to above. He has also made a reference to the orders of this Tribunal in OA 122/2004 decided on 16.1.2004 and also in OA 178/2004 decided on 22.1.2004, copies of which are placed as annexures to this OA. He has prayed that similar directions as given in the said OAs could be given to the respondents for carrying out necessary verification in regard to the applicants to find out whether their cases are identical and similarly placed as those who have been covered under the aforesaid judgement and also under the letter of the respondents dated 23.12.2003 and to consider their cases if, on such verifications, they are found similar and identically placed.

4. It is observed that the applicants have worked as Parcel Porters till abolition of the contract system on 31.3.2000. Reference has been made to the fact that while the similarly placed Parcel Porters filed OAs and were extended the benefit as prayed for by those applicants, the applicants in this OA have filed this OA on the same lines as filed earlier by their other similarly placed colleagues seeking the same reliefs.



5. Having gone through the details of the case and also keeping in view the limited prayer made by the learned counsel for the applicants, I consider it appropriate to dispose of this OA at the admission stage itself without issuing notices to the respondents as given in the previous OA 122/2004 and OA 178/2004, namely, that respondents carry out a similar verification of the claims of the applicants to find out whether their cases are identical and similar with reference to their records and if on such a verification it is found by them that their cases are similarly and identically placed as the ones that have been decided and covered under the decisions of the Hon'ble Supreme Court as also in the subsequent decisions of this Tribunal as referred to hereinabove. They may dispose of the matter in accordance with the outcome of their enquiry/finding in the matter by issuing a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order.

6. With this, the OA stands disposed of.


(Sarweshwar Jha)
Member (A)

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