

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 338 OF 2004

New Delhi, this the 10th day of February, 2004.

HON'BLE SHRI SARWESHWAR JHA, ADMINISTRATIVE MEMBER

1. Shri Suresh Pal,
S/o Shri Satroo,
Safaiwala,
Under Chief Health Inspector,
Northern Railway,
Delhi Main Station,
New Delhi.
2. Shri Girwar,
S/o Shri Bhartu Ram,
Chowkidar,
Under S & T,
Northern Railway,
Ghaziabad.
3. Shri Virender Kumar,
S/o Shri Vegh Raj.,
Ambulance Driver,
Under Sr. Divisional Medical Officer,
Northern Railway,
Ghaziabad.
4. Shri Inderpal,
S/o Ram Kirpal,
Khallasi,
Under Signal Workshop,
Northern Railway,
Ghaziabad.

.....Applicants

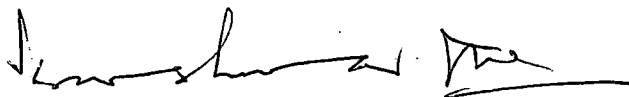
(By Advocate : Shri Amit Anand)

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 Senior Divisional Finance Manager,
Northern Railway,
State Entry Road,
New Delhi.

.....Respondents

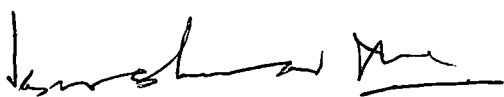


ORDER (ORAL)

The learned counsel for the applicants, at the very outset, has submitted that the matter in the present OA is identical with what had been raised in OA No.89/2004 and OA No.144/2004. In both the above OAs, it had been prayed that arrears and other benefits that the applicants in the said OAs were entitled ^{to} before they were granted temporary status should be paid to the applicants in this OA in terms of the instructions of the Railway Board's letter dated the 12th July, 1973 and other relevant Circulars issued from time to time.

2. In the present case, the applicants (4 in number), who had been engaged by the respondents initially as Casual Labourers and who were granted temporary status on varying dates between 1972 and 1993 as stated in Annexure A-5 to the OA, have prayed that they should be paid arrears and other benefits for the period when they were working as Casual Labourers with interest. They have also prayed for benefits like leave etc. being extended to them.

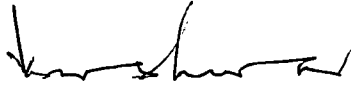
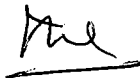
3. Without going into the details and facts of the matter at this stage and without commenting on the merit of the matter as raised by the applicants in this OA, I am inclined to dispose it of at this stage itself with directions to the respondents to examine the matter with reference to their records and in the light of the decision of this Tribunal as referred to hereinabove and to dispose of it appropriately with reference to the instructions of the Railway Board as referred to above and also other relevant circulars and instructions issued from time to time by them and other



3

: 3 :

concerned authorities. If, on examination, the respondents find that the case of the applicants is similarly placed as the cases decided in the OAs, as referred to hereinabove, they may consider extending the same benefit to the applicants with reference to the out-come of the said examination. They are also directed to issue a reasoned and speaking order while disposing of the matter as per law within a period of three months from the date of receipt of a copy of this order. While parting with this decision, it may be mentioned that I have not opened up my mind on the merit of the case.

 
(SARWESHWAR JHA)
ADMINISTRATIVE MEMBER

/pkr/