

Central Administrative Tribunal
Principal Bench

OA No.707/2004
MA No.592/2004

New Delhi this the 17th day of March, 2004

Hon'ble Shri V.K. Majotra, Vice-Chairman (A)

1. Shri Gopal Dutt s/o Shri Bachhi Dutt
2. Shri Murlidhar s/o Shri Sohan Lal
3. Shri Hottey Lal s/o Shri Luttey
4. Shri Toplan s/o Shri Uchran
5. Shri Hira Lal s/o Shri Ramajivachan
6. Shri As n dayal s/o Shri Kadikma
7. Shri Deshraj s/o Shri Narved Singh
8. Shri Banarsi s/o Shri Dhanao
9. Shri Rajpal s/o Shri Vedram
10. Shri Jaggu s/o Shri Chandrika
11. Shri Ramesh s/o Shri Amichander
12. Shri Shivram s/o Shri Ramsaran
13. Shri Harveer s/o Shri Lagyaram
14. Shri Chottey Lal s/o Shri Dhamiram
15. Shri Arjun Singh s/o Shri Hanuman Baksh
16. Shri Rajender s/o Shri Brij
17. Shri Premballab s/o Shri Kirpaldutt
18. Shri Kanhiyalal s/o Shri Durodhan

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19. Shri Brijlal s/o Shri Benimago
20. Shri Chaggolal s/o Shri Tibhar
21. Shri Rampal s/o Shri Gaidhan
22. Shri Kamal s/o Shri Lalchander
23. Shri Ramlal s/o Shri Ghasi Ram
24. Shri Vijay s/o Shri Ghasiram
25. Shri Permanand s/o Shri Udayram
26. Shri Bhavar Lal s/o Shri Mangalram
27. Shri Navadeen s/o Shri Sahabheen
28. Shri Rai Singh s/o Shri Shatru Singh
29. Shri Mangal s/o Shri Agnoo
30. Shri Ram Kumar s/o Shri Bigha
31. Shri Mool Chander s/o Shri Gyarasa
32. Shri Shyam Lal s/o Shri Dhookiram
33. Shri Ram Milan s/o Shri Bhigha
34. Shri Jai Singh s/o Shri Veer Chander
35. Shri Rohtash s/o Shri Teja
36. Shri Rajkishore s/o Shri Valdev Singh
37. Shri Ram Bahorey s/o Shri Nankoo
38. Shri Sukhlal s/o Shri Ramghoo
39. Shri Bhullan s/o Shri Nanoo
40. Shri Hari Lal s/o Shri Dhinkoo
41. Shri Laxmi Kant s/o Shri
42. Shri Ishwari Dutt s/o Devi Dutt



43. Shri Om Parkash s/o Shri Anantram

44. Shri Ram Lakhan s/o ShriApplicants

(All the applicants have been working against Group D post under Chief Engineer, Northern Railway, Pahar Ganj, Delhi)

(By Advocate: Shri M.K. Bhardwaj)

Union of India & Ors through :
^{Vs.}

1. The General Manager
Northern Railway
Baroda House
New Delhi

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

3. The Chief Engineer
Northern Railway
Paharganj,
New Delhi

.....Respondents

ORDER (Oral)

MA-592/2004 for joining together is allowed.

2. Applicants are aggrieved by inaction on part of the respondents in not granting them regular pay scale and other benefits consequent upon the entitlement of grant of temporary status after completion of 120 days service with the respondents. Learned counsel has relied on Para 2001 read with Para 2005 and Para 2303 of Indian Railway Establishment Manual in connection with accord of temporary status

as casual labour after completion of 120 days service and also entitlement to all rights and privileges admissible to temporary railway servants. He has particularly drawn my attention to Para-5 (J) of the OA in which particulars of the applicants regarding completion of 120 days as Casual Labour, date of regularisation and claimed arrears along with the present post held by the applicants are given. Learned counsel has also relied on order dated 26.7.2002 of this Tribunal in the case of **Shri Swayamber & Ors. Vs. Union of India and another** (OA-1966/2002) (Annexure A-1) in which applicants, therein, who were similarly situate as the present applicants were granted the relief with the following directions to the respondents:-

"5. On consideration of the matter, the OA is being disposed of at the admission stage itself with the following directions:-

(a) The applicants may submit a comprehensive and self contained representation regarding their grievance to the respondents within three weeks from today. The respondents are directed to examine the same on its merits in the light of the relevant rules, instructions and judicial pronouncements on the subject and dispose of the matter by a detailed and speaking order under intimation to the applicants within two months from the date of receipt of the said representation.

(b) In case any grievance further survives, the applicants are given the liberty to approach this Tribunal again in fresh original proceedings, if so advised, in accordance with law.

6. A copy of the OA may be sent to the respondents along with a copy of this order".

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3. This OA is disposed of at the admission stage itself without issuing a notice to the respondents with the same directions as in OA-1966/2002.

V.K. Majotra

(V.K. Majotra)
Vice-Chairman (A)

17.3.04.

cc..