

Central Administrative Tribunal, Principal Bench

O.A.No.1967/92

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this 1st day of August, 1997

Shri Dosh Mohammad  
s/o Shri Mohamad Ali  
Ex. Casual Labour Khalasi  
under P.W.I., Hapur  
Northern Railway  
r/o A 2/160, Vikaspuri  
New Delhi.

Applicant

(By Shri A.K.Bhardwaj, Advocate)

Vs.

1. Union of India through  
General Manager  
Northern Railway  
Headquarters Office  
Baroda House  
New Delhi.
2. Divisional Rail Manager  
Northern Railway  
Moradabad.
3. Assistant Engineer  
Northern Railway  
Hapur.

Respondents

(None for the respondents)

O R D E R(Oral)

None has appeared for the respondents in this case despite repeated opportunities and therefore, I am constrained to dispose of this case on the basis of the available pleadings after hearing the learned counsel for the applicant.

2. The applicant claims that he had worked as Casual Labour Khalasi in the PWI, Hapur from 29.11.1976 to 14.5.1981. He claims that having worked for 120 days he had acquired temporary status and is entitled to all the privileges and rights of a temporary railway servant. He also claims the benefit of the Railway Board letter

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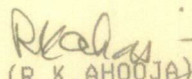


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No.E/NG/87/CL/38 dated 12.6.1987 for the placement of his name in the Live Casual Labour Register and for re-engagement in accordance with his seniority.

3. The respondents in their reply at Para 4.8 have stated that the name of the applicant is already entered in the Live Casual Labour Register for further engagements. They also deny the allegations of the applicant that any one junior to him as per the Live Casual Labour Register has been given engagement in preference to the applicant. In the circumstances of the case, the OA is disposed of with a direction to the respondents that in case the applicant approaches the respondents they will consider his case in accordance with his seniority and engage him on the basis of his position in the Live Casual Labour Register in preference to his juniors and outsiders. After his re-engagement, his case may also be considered for regularisation in accordance with the relevant Rules. No costs.

  
(R.K. AHOOJA)  
MEMBER(A)

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